

## EXTENSIONS OF REMARKS

TRIBUTE TO THE GOVERNMENT  
PRINTING OFFICE

## HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. REED. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to the Government Printing Office [GPO] for its outstanding work on the GPO Access Network. For its efforts, the GPO has received the James Madison Award for 1995.

The Madison Awards are presented by the Coalition on Government Information to those individuals or organizations who enhance citizens' knowledge while championing the public's right to know. Previous winners of these awards include Vice President ALBERT GORE, Secretary of Energy Hazel O'Leary, and Representative HENRY WAXMAN. The GPO is certainly worthy of joining this list of well-known and respected officials.

The GPO has developed an access system which allows American citizens to obtain information including congressional bills, the CONGRESSIONAL RECORD, Federal Register, the U.S. Code, and more than 6,000 other files from 25 Federal agencies. Additionally, the network can be accessed at no charge from libraries that act as Federal depositories 24 hours a day.

As James Madison stated, "a popular government without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy, or, perhaps both." Madison realized that a well-informed citizenry is the crucial ingredient for healthy debate. As all of my colleagues are aware, informed and spirited debate is the root of a healthy democracy. The GPO access network is a perfect example of how the new information "super highway" will heighten the level of public discourse.

In Rhode Island, the GPO has done an outstanding job of fulfilling Madison's vision of a politically aware and active citizenry. Because of the team effort of the GPO, Ocean State Free Net, and the Federal Depository libraries in the State, Rhode Islanders are now able to access all of the aforementioned information with their own home computers. Having such information available will enhance our citizens understanding of government and their desire to participate in the democratic process. I am confident that continued cooperation between the Federal Government, State agencies, and American citizens will yield rapid advancement into this new era of shared information.

Mr. Speaker, it gives me great pleasure to commend the outstanding achievement and continuing efforts of the Government Printing Office, and I would ask my colleagues to join me in saluting them.

TOBACCO HEALTH TAX AND AGRICULTURAL  
CONVERSION ACT OF  
1995

## HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. STARK. Mr. Speaker, today my colleague from Utah, Mr. HANSEN, and I are introducing the Tobacco Health Tax and Agricultural Conversion Act of 1995, a bill to increase the cigarette tax to \$2 per pack and to increase taxes on other tobacco products.

We are joined in this by Mr. DURBIN, Mr. COYNE, Ms. PELOSI, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. MORAN, Mr. OBERSTAR, Mrs. COLLINS of Illinois, and Mr. EVANS, as original co-sponsors.

The revenues raised by this bill would finance health education and medical research efforts, help fund the health care costs of our Nation's elderly, and assist tobacco workers and agricultural regions that may be adversely affected by an increase in the tobacco tax. But most importantly, this bill creates a powerful disincentive for Americans—particularly youngsters—from taking up smoking.

We all know of the scourge that tobacco brings to America's families. The American Cancer Society, the American Lung Association, and the American Heart Association have reported that "tobacco is the single greatest cause of preventable death and disease."

There are 419,000 deaths each and every year due to smoking. This equates to more than 1,100 Americans dying every day. Smoking-caused deaths exceed the number of deaths caused from alcohol, drug abuse, homicide, suicide, automobile and airplane accidents, and AIDS combined; 27 percent of all Americans who die between the ages of 35 and 64 die from tobacco-related disease.

The scores of lives lost to tobacco provide sufficient reason to take the action I call for in this legislation. But lives lost is not the only cost to smoking. Tobacco-caused illnesses tax our health care system, requiring more than \$50 billion per year in direct health care expenditures, including \$22 billion borne by the Federal Government. Losses in productivity suck tens of billions more out of our economy.

But if there is an area where Federal action can make a positive impact, it is with smoking. Tobacco is the single greatest cause of preventable death and disease—preventable. As proven by experiences in several States and in other countries, tobacco consumption—and the related costs—can be reduced. In my home State of California, through a modest rise in the cigarette tax and a statewide education campaign, a substantial reduction in smoking among California's teenagers resulted. The National Academy of Sciences' Institute of Medicine, a well-respected independent scientific organization, concluded that—

If tobacco is made less affordable . . . consumption will tend to decline, especially among children and youth, whose smoking habits are not fully established. Therefore, policymakers have an effective means available to them—increasing the real price of tobacco by increasing excise taxes—to reduce the consumption of tobacco by youths and thereby to reduce the health toll of tobacco use in future years.

Most people who smoke today—about 90 percent—began smoking when they were kids. If the cost of a pack of cigarettes were raised to the equivalent of two Big Macs rather than the equivalent of just one today, youngsters might think twice before putting down the money for the cigarettes. And without continued waves of new smokers, the 400,000 Americans who die each year from smoking will not be replaced.

In order to prevent nicotine addiction in children and youth, the National Academy of Sciences recommends the following—

(1) Congress should enact a significant increase in the tobacco tax,

(2) All tobacco products should be taxed on an equivalent basis, and

(3) The real value of tobacco taxes should be maintained to account for inflation.

The Tobacco Health Tax and Agricultural Conversion Act of 1995, if enacted, would accomplish each of these steps.

In the past, concerns have been raised over the impact a tobacco tax hike would have on tobacco farmers. We believe this bill offers a solution, not a problem, for tobacco farmers.

U.S. tobacco farming has been declining for more than a decade. This has not been caused by increased tobacco taxes in the United States. This is not a result of reduced cigarette manufacturing in the United States. The decline in U.S. tobacco farmers, from 179,000 in 1993 to 137,000 today, is because U.S. cigarette manufacturers like Philip Morris and R.J. Reynolds have more than doubled their imports of less expensive foreign-grown tobacco over the past decade. Today, more than one-third of tobacco used in U.S.-manufactured cigarettes is imported. This trend is anticipated to continue, leaving U.S. tobacco farmers and their farming communities devastated.

The legislation we are introducing today would allocate 3 percent of the revenues raised to a Tobacco Conversion and Health Education Trust Fund. The purpose of this is to assist individuals and communities that today are reliant upon tobacco farming to convert to other crops and industries. These funds could be used to purchase tobacco allotments from farmers or to finance infrastructure construction and modernization for agricultural diversification. Affected communities would be able to use these funds to stimulate non-tobacco related economic development. Under this legislation, literally hundreds of millions of dollars annually would become available to tobacco farmers and tobacco-growing regions.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

A portion of moneys in the Tobacco Conversion and Health Education Trust Fund would be allocated to support health education efforts. Rather than rely solely on the increase in the price of cigarettes to educate American consumers of the true costs of cigarettes, the Secretary of the Department of Health and Human Services would conduct campaigns—building on efforts already underway in several States—to educate Americans on health risks, including the risks from tobacco use.

A larger portion of the funds raised would be used to fund expanded medical research efforts. A full 9 percent of the revenues raised, estimated at roughly \$1.5 billion per year, would be placed in a newly created National Fund for Medical Research. These resources will augment the current effort underway at the National Institutes of Health and throughout the Nation to expand our understanding and ability to deal with complex medical problems. As we all know, only one-quarter of all worthwhile grant applications submitted to the NIH each year receive funding.

The remainder of the revenues raised by this legislation would be deposited into the Medicare Part A Hospital Insurance Trust Fund. The reason for this is simple. As stated by a former HHS Secretary who held responsibility for the Medicare program, "Smoking is the single largest drain on the Medicare trust fund, poised to take \$800 billion over the next 20 years." The revenues from this bill may not cover Medicare's full smoking-related costs, but this bill provides a good start.

In sum, this legislation is good for America—for America's youth, America's families, and the American economy. Lives will be saved, suffering from disease will be diminished, long-term health care costs will be reduced, diversification in farming communities will be supported, and revenues will be generated for the health care needs of our elders.

Mr. Speaker, we could continue for hours to cite reason upon reason to support this legislation. Some may want me to do so, merely to delay taking action. But at some point we must take action. We must decide that this is a necessary step and that it can no longer be delayed. We believe that the time is now. We urge our colleagues to support this legislation.

A summary of the bill follows—

#### SUMMARY OF "THE TOBACCO HEALTH TAX AND AGRICULTURAL CONVERSION ACT OF 1995"

##### INCREASE IN TOBACCO EXCISE TAXES

This legislation would increase the excise tax on cigarettes by \$1.76 per pack (from \$.24 per pack to \$2.00 per pack) and increase the excise taxes on other tobacco products.

The excise taxes would increase in future years by an amount equivalent to the rate of inflation.

This legislation would become effective after September 30, 1995.

##### USE OF REVENUES

Medicare Part A Trust Fund—88% of revenues—to strengthen the solvency of the Medicare Part A Hospital Insurance Trust Fund.

National Fund for Medical Research—9% of revenues—to augment the resources currently available to the National Institutes for Health for medical research.

Tobacco Conversion Account—1.5% of revenues—to assist individuals and communities that today are reliant upon tobacco farming to convert to other crops and industries.

Health Education Account—1.5% of revenues—to educate Americans on health risks, including tobacco use.

#### PINE PLAINS, NY, HOSE CO. AND RESCUE SQUAD CELEBRATE 100TH ANNIVERSARY

##### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. SOLOMON. Mr. Speaker, I have always been partial to the charm and character of small towns and small town people. The town of Pine Plains, NY, is certainly no exception.

The traits which make me most fond of such communities is the undeniable camaraderie which exists among neighbors. Looking out for one another and the needs of the community make places like Pine Plains great places to live. The concept of community service is exemplified by the devoted service of the Pine Plains Hose Co. and Rescue Squad. For 100 years now, this organization has provided critical services for the citizens on a volunteer basis. As a former volunteer fireman myself, I understand, and appreciate, the commitment required to perform such vital public duties.

Mr. Speaker, it has become all too seldom that you see fellow citizens put themselves in harms way for the sake of another. While almost all things have changed over the years, thankfully for the residents of Pine Plains, the members of their fire department and rescue squad have selflessly performed their duty, without remiss, since the formation of this organization in 1895. From June 8, 1995 through June 10, 1995, the hose company will be hosting a celebration commemorating this milestone. Not only will this offer the residents of Pine Plains a chance to enjoy themselves at the planned festivities, including a parade, carnival and fireworks, but it will provide the perfect opportunity for them to extend their gratitude to this organization and its members.

Mr. Speaker, I have always been one to judge people by how much they give back to their community. On that scale, the members of the Pine Plains Hose Co. and Rescue Squad are great Americans. I am truly proud of this organization because it typifies the spirit of voluntarism which has been such a central part of American life. We would all do well to emulate the service of the men and women who comprise the Pine Plains Fire and Rescue Squads. To that end, it is with a sense of pride, Mr. Speaker, that I ask all members to join me in paying tribute to the Pine Plains Hose Co. and Rescue Squad on the occasion of their 100th anniversary.

#### LOVE STORY WITH A LONG HISTORY

##### HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MANTON. Mr. Speaker, I rise today to recognize Michael and Marion Duckworth Smith, a special couple who live in a unique place in my district. Within the boundaries of one of the most urban areas of our country, Marion and Michael live on the Riker Estate, the oldest New York City farmhouse still used as a residence.

Michael and Marion's relationship blossomed just as the residence has over the years. The 341 year old residence was originally built by Abraham Riker, who was awarded at least 120 acres by Peter Stuyvesant in the area then known as Bowery Bay. Later, it was expanded by Abraham Lent, a grandson of Abraham Riker. The home has remained largely untouched by the growing metropolis around it because the cemetery in the property is protected by law.

A new chapter for the Riker Estate began in 1960 when Michael Smith, a frequent visitor to the house, noticed its quaintness, but also the necessity of restoring the site. The house was declared a landmark in 1966, the same year Michael moved in. He was able to purchase the property in 1975, though his restoration work was far from finished. In 1979, Michael and Marion shared their second date at the house and continue to share their love with each other and the Riker Estate to this day.

Mr. Speaker, the Smiths continue to devote themselves to projects on the property over the years, including building a gazebo behind the house to commemorate their wedding where they renewed their vows in 1993. The couple looks forward to living and taking care of each other, as well as the historical house they share together for many years to come.

Mr. Speaker, I know my colleagues join me in recognizing this special couple and the outstanding job they have done bringing back to life a home and a special part of New York City's past that will continue to thrive for years to come.

#### THE JANE VORHEES-ZIMMERLI MUSEUM GALA HONORING PHILLIP DENNIS CATE'S SILVER ANNIVERSARY AS DIRECTOR OF THE MUSEUM

##### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. PALLONE. Mr. Speaker, on the afternoon of Saturday, April 29, 1995, a gala in New Brunswick, NJ, will celebrate Phillip Dennis Cate's 25 years as director of the Jane Vorhees-Zimmerli Museum.

Mr. Speaker, Phillip Dennis Cate deserves to be recognized for outstanding work in the field of museum studies. Mr. Cate attended Rutgers, the State University of New Jersey, graduating in 1967 as an art history major and as a Henry Rutgers scholar. Using his experience as director of the art gallery at Rutgers, Phillip Dennis Cate has been able to create one of the foremost collections of art within the State of New Jersey.

Under direction of Mr. Cate, the Jane Vorhees-Zimmerli Museum has been transformed from a well-kept local secret into a renowned museum that hosts a multitude of eclectic exhibits. Some of these exhibitions include French 19th century graphics, American and European art, children's literature, and the most recent addition of the Norton and Nancy Dodge collection of nonconformist art from the Soviet Union.

Phillip Dennis Cate seized on the opportunity to make the Jane Vorhees-Zimmerli Museum a prominent resource center for the art



world. Without Mr. Cate's ambition and training, the Zimmerli would probably not have reached such a level of respect and admiration.

Mr. Speaker, it is a great honor for me to pay tribute to Mr. Phillip Dennis Cate, to look back on his accomplishments of the past 25 years and to look forward to the great work yet to come.

**EAST HARTFORD HIGH SCHOOL  
CHOIR AND BAND**

**HON. BARBARA B. KENNELLY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mrs. KENNELLY. Mr. Speaker, I rise today to honor an outstanding group of students from my district, the East Hartford High School Choir and Band. They have been selected to represent the State of Connecticut in the 50th anniversary commemoration of World War II to be held in Washington at the end of April.

Inspired by the leadership of choir director, Mr. Leo Sayles and band director, Mrs. Kathy Neri, these students have earned a statewide reputation for excellence. Soon the entire Nation will recognize them as one of the premier high school musical groups in the country.

As we commemorate the end of World War II, I am especially pleased that so many young people will participate in the Washington event. History has many lessons to teach us—it is important for the leaders of tomorrow to learn from the heroes of yesterday. East Hartford High's participation is important not only because it will add to the ceremony, but because it will leave a lasting impression on these students, their teachers, parents, and friends.

I salute the East Hartford High School Choir and Band. They will be excellent ambassadors for the State of Connecticut.

**TRIBUTE TO BOB SLADE**

**HON. BART STUPAK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to a good friend and an exemplary man, Bob Slade, who is retiring, after serving 18 years as a teacher in the Escanaba area public schools and 16 years as a representative for the Michigan Education Association in the central Upper Peninsula.

Bob Slade received a bachelor's degree from Northern Michigan University, a master's degree from the University of Pennsylvania, and did postgraduate work in labor law at the University of Michigan.

Bob Slade taught physics, physical science, math, and driver education at Escanaba area high school. During Bob's career as a teacher, he was twice awarded the Outstanding Teacher Award.

Always placing the needs of others before his own, Bob was rewarded for his dedicated and professional service by being recognized

by the Escanaba City Council for assisting at the scene of an auto accident in which a youngster was seriously injured.

Bob was also honored by Mead Paper Corp. for serving on the original citizens committee which instituted the MEAD science essay contest for high school students in the areas of biology, chemistry, math, and physics.

He is strong when strength is needed, and possesses a sense of humor when things are too serious. Always dignified, he helps others before himself. He will be remembered by his friends and family for his good sense of humor and his interest in politics.

Mr. Speaker, it is not only my hope, but all Escanaba's, that Bob will continue to enjoy the fruits of his labor starting with his retirement party, April 8, 1995. A man of great character, his achievements and contributions remain unparalleled. We can never adequately express our gratitude for his tireless service. I would like to express my deep pride and admiration in having such a fine citizen in my district. A citizen that my wife and I can call our friend and our teacher. Congratulations Bob, and best wishes.

**MEDICARE MENTAL HEALTH  
IMPROVEMENT ACT OF 1995**

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. STARK. Mr. Speaker, today I am introducing the Medicare Mental Health Improvement Act of 1995. This bill will improve the mental health services available to Medicare beneficiaries. It represents an urgently needed change in benefits to reflect contemporary methods of providing mental health care and prevent unnecessary hospitalizations.

The bill expands Medicare Part A and Part B mental health and substance abuse benefits to include a wider array of settings in which services may be delivered. It eliminates the current bias in the law toward delivering services in general hospitals. It permits services to be delivered in a variety of residential and community-based settings. Through use of residential and community-based services, costly inpatient hospitalization can be avoided. Services can be delivered in the setting most appropriate to the individual's needs.

In 1991, as a nation we spent approximately \$58 billion for treatment of mental illness and another \$17 billion for substance abuse disorders. Medicare expenditures in these areas for 1993 were estimated at \$3.6 billion or 2.7 percent of Medicare's total spending. Over 80 percent of that cost was for inpatient hospitalization.

In addition to these direct medical costs there are also enormous social costs resulting from these disorders. It has been estimated that severe mental illness and substance abuse disorders cost \$78 billion per year in lost productivity, lost earnings due to illness or premature death, and costs for criminal justice, welfare and family care giving.

Mental disorders affect about 22 percent of the adult population in a 1 year period; 2 to 3

percent of the population experience severe mental illness or substance abuse disorders. This population is very diverse. Some people experience problems of recent origin that never recur, given appropriate treatment. Others have severe problems that persist for a long period of time. Mental illness and substance abuse disorders include many different diagnoses, levels of disability and duration of disability. Therefore, the people affected have many different needs.

Diagnosis and treatment of mental illness and substance abuse have changed dramatically since the Medicare benefit was designed. No longer are treatment options limited to large public psychiatric hospitals. The great majority of people can be treated on an outpatient basis, recover quickly and return to productive lives. Even those who once would have been banished to the back wards of large institutions can now live successfully in the community.

In recent years, the range of settings for care has diversified and providers have become more specialized. Treatments are more numerous and more effective than ever before. Treatment for mental disorders is in many cases just as effective as treatment for many physical disorders. For many people, however, appropriate treatment is inaccessible because they lack adequate insurance coverage. Medicare benefits have not kept pace with advancements in the field of mental health.

This bill would permit Medicare to pay for a number of intensive community-based services. In addition to outpatient psychotherapy and partial hospitalization that are already covered, beneficiaries would also have access to psychiatric rehabilitation, ambulatory detoxification, in-home services day treatment for substance abuse and day treatment for children under age 19. In these programs, people can remain in their own homes while receiving services. These programs provide the structure and assistance that people need to function on a daily basis and return to productive lives.

They do so at a cost that is much less than inpatient hospitalization. For example, the National Institute for Mental Health in 1993 estimated that the cost of inpatient treatment for schizophrenia can run as high as \$700 per day, including medication. The average daily cost of partial hospitalization in a community mental health center is only about \$90 per day. When community-based services are provided, inpatient hospitalizations will be less frequent and stays will be shorter. In many cases hospitalizations will be prevented altogether.

This bill will also make care management available for those with severe mental illness or substance abuse disorders. People with severe disorders often need help managing many aspects of their lives. Case management assists people with severe disorders by making referrals to appropriate providers and monitoring the services received to make sure they are coordinated and meeting the beneficiaries' needs. Case managers can also help beneficiaries in areas such as obtaining a job, housing, or legal assistance. When services are coordinated through a case manager, the chances of successful treatment are improved.

For those who cannot be treated while living in their own homes, this bill will make several residential treatment alternatives available. These alternatives include residential detoxification centers, crisis residential programs, therapeutic family or group treatment homes and residential centers for substance abuse. Clinicians will no longer be limited to sending their patients to inpatient hospitals. Treatment can be provided in the specialized setting best suited to addressing the person's specific problem.

Inpatient hospitalization, of course, will remain an important avenue of treatment for some beneficiaries. Currently, the law contains a bias toward providing inpatient services in general hospitals. That bias results from the payment differences between psychiatric hospitals and general hospitals.

Right now in psychiatric hospitals, benefits may be paid for 190 days in a person's lifetime. This limit was established primarily in order to contain Federal costs. In fact, CBO estimates that only about 1.6 percent of Medicare enrollees hospitalized for mental disorders or substance abuse used more than 190 days of service over a 5-year period.

In general hospitals, benefits are available for 90 days in a benefit period and a person may have numerous benefit periods throughout his or her lifetime. This can result in people who have almost used up their 190 lifetime days in a psychiatric hospital being forced to receive services in a general hospital.

They are also shunted into nursing homes. A recent study found that, among nursing home residents who did not have a cognitive impairment, such as Alzheimer's disease, 13 percent exhibit mental disorders. While some general hospitals and nursing homes are up to this task, others are ill-equipped to meet the needs of people with severe mental illness or substance abuse problems.

Under the provisions of this bill, beneficiaries who need inpatient hospitalization can be admitted to the type of hospital that can best provide treatment for his or her needs. Inpatient hospitalizations would be covered for up to 60 days per year. The average length of hospital stay in 1992 for an adult was 16 days and for an adolescent was 24 days. The 60 day limit, therefore, would adequately cover inpatient hospitalization for the vast majority of Medicare beneficiaries, while still providing some modest cost containment. Restructuring the benefit in this manner will level the playing field for psychiatric and general hospitals.

The bill I am introducing today is an important step toward providing comprehensive coverage for mental health. Timely treatment in appropriate settings will lessen health costs in the long run. It will also lessen the social costs of crime, welfare, and lost productivity to society. This bill will assure that the mental health needs of Medicare beneficiaries are no longer ignored. I urge my colleagues to join me in support of this bill.

A summary of the bill follows:

#### IN GENERAL

The bill revises the current mental health benefits available under Medicare to de-emphasize inpatient hospitalization and to include an array of intensive residential and intensive community based services.

#### PART A PROVISIONS

The bill permits benefits to be paid for 60 days per year for inpatient hospital services furnished primarily for the diagnosis or treatment of mental illness or substance abuse. The benefit is the same in both psychiatric and general hospitals.

The following "intensive residential services" are covered for up to 120 days per year: Residential detoxification centers; crisis residential or mental illness treatment programs; therapeutic family or group treatment home; and residential centers for substance abuse.

Additional days to complete treatment in an intensive residential setting may be used from inpatient hospital days, as long as 15 days are retained for inpatient hospitalization. The cost of providing the additional days of service, however, could not exceed the actuarial value of days of inpatient services.

A facility must be legally authorized under State law to provide intensive residential services or be accredited by an accreditation organization approved by the Secretary in consultation with the State.

A facility must meet other requirements the Secretary may impose to assure quality of services.

Services must be furnished in accordance with standards established by the Secretary for management of the services.

Payment for intensive residential services would be the lesser of reasonable cost under 1816(v) or customary charges less the amount the provider may charge under 1866(a)(2)(A).

Inpatient hospitalization and intensive residential services would be subject to the same deductibles and copayment as inpatient hospital services for physical disorders.

#### PART B PROVISIONS

Outpatient psychotherapy for children and the initial 5 outpatient visits for treatment of mental illness or substance abuse of an individual over age 18 have a 20-percent copayment. Subsequent therapy for adults would remain subject to the 50 percent copayment.

The following intensive community-based services are available for 90 days per year with a 20-percent copayment (except as noted below): Partial hospitalization; psychiatric rehabilitation; day treatment for substance abuse; day treatment under age 19; in home services; case management; and ambulatory detoxification.

Case management would be available with no copayment and for unlimited duration for "an adult with serious mental illness, a child with a serious emotional disturbance, or an adult or child with a serious substance abuse disorder (as determined in accordance with criteria established by the Secretary)."

Day treatment for children under age 19 would be available for up to 180 days per year.

Additional days of service to complete treatment can be used from intensive residential days. The cost of providing the additional days of service, however, could not exceed the actuarial value of days of intensive residential services.

A non-physician mental health or substance abuse professional is permitted to supervise the individualized plan of treatment to the extent permitted under State law. A physician remains responsible for the establishment and periodic review of the plan of treatment.

Any program furnishing these services (whether facility-based or freestanding) must be legally authorized under State law or accredited by an accreditation organization approved by the Secretary in consultation with the State. They must meet standards established by the Secretary for the management of such services.

#### THE CATO INSTITUTE'S DRUG DECEPTION

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. SOLOMON. Mr. Speaker, I would like to bring attention to the truth about proposed legalization-decriminalization policies. Members have recently heard from the CATO Institute announcing a policy forum questioning the usefulness of continuing "the unwinnable war" on drugs. This forum is clearly just a thinly veiled attempt to legitimize CATO's own prolegalization position.

However, what CATO refuses to publicly acknowledge are the devastating results of legalization-decriminalization policy, as evidenced in the Netherlands, where such a policy has been in place since the early 1980's. The president of the Dutch National Committee on Drug Prevention, K.F. Gunning, M.D., reports that crime and drug use have skyrocketed since the implementation of legalization in the Netherlands. According to the Dutch Government, their legalization-decriminalization has resulted in: A 250-percent increase in drug use since 1993; a doubling of marijuana use by students since 1988; armed robberies up by 70 percent; shootings up by 40 percent; car thefts up by 60 percent.

The number of registered addicts in the Netherlands has risen 22 percent in the past 5 years, and there were 25,000 new addicts in 1993 alone. In addition, the number of organized crime groups in the Netherlands has increased from 3 in 1988 to 93 in 1993. For good reason, the American public has zero tolerance for legalization schemes.

Mr. Speaker, drug legalization has clearly been a disastrous mistake for the Netherlands. If organizations like CATO achieve their goals, drug legalization will worsen the crime and drug problem in America as well.

#### IN HONOR OF HERIBERTO QUINDE-OBANDO

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MANTON. Mr. Speaker, I rise today to honor Mr. Heriberto Quinde-Obando, a gentleman I am proud to represent in the Seventh Congressional District of New York.

Mr. Speaker, on March 16, I had the pleasure of joining Mr. Quinde-Obando and members of his family in my Washington office to celebrate Mr. Quinde-Obando's 80th birthday.

Mr. Speaker, for more than half of his 80 years, Mr. Quinde-Obando has lived in



Woodside, Queens, which is part of my District. Mr. Quinde-Obando began his life in Guayaquil, Ecuador in South America. He moved to New York City in 1948 where he started a new life and began his career as an electronics technician. Mr. Quinde-Obando is well known for his contributions to his community and involvement in a number of civic organizations. Mr. Quinde-Obando's achievements demonstrate the great success immigrants have had in this country and his selfless devotion to our community serves as a shining example for all of us to follow.

Mr. Quinde-Obando has been particularly involved in the New York Intercontinental Lions Club since 1982. At the New York Intercontinental Lions Club, Mr. Quinde-Obando has successfully held several executive positions including director, chairman for social events, chairman of the health fair, club secretary, third, second, and first vice president, and president. He was selected Lion of the Year in 1984 and has received many other honors from his fellow Lions over the years. Mr. Quinde-Obando became a member of Lions International in 1980.

In addition to his charitable work, Mr. Quinde-Obando is a recognized leader within the Hispanic American community in Queens, helping unite his fellow Hispanic American neighbors on many issues important to Queens. He served as the president of the Queens Hispanic Day Parade Committee in 1992 and was also a member of the Hispanic task force in 1990. As a member of the Hispanic task force, Mr. Quinde-Obando was instrumental in helping retain Federal funds for transportation, education, job training, and housing.

Mr. Quinde-Obando also has served on the Woodside senior citizens advisory board and is a member of St. Sebastian's Parish. Having met many members of the Quinde family, I know that Heriberto Quinde-Obando has also been a loving and dedicated husband, father, and grandfather.

Mr. Speaker, I know that my colleagues will join me in commending Heriberto Quinde-Obando for his outstanding service to his family, church, and community.

#### TRIBUTE TO DAVID B. CRABIEL

##### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. PALLONE. Mr. Speaker, on Sunday, April 30, 1995, Mr. David B. Crabiell, director of New Jersey's Middlesex County's Board of Chosen Freeholders, will be presented the Hubert H. Humphrey Friend of Labor Award at the 4th annual Middlesex AFL-CIO awards and scholarship brunch.

Mr. Speaker, it is a great honor to pay tribute to David Crabiell, a dedicated family man who has, since he became the youngest member of the Milltown Rescue Squad at age 16, selflessly dedicated his adult life to public and community service. Having been in public service as an elected official in various positions since 1960, Mr. Crabiell has held himself to an exemplary standard of citizenry.

Entering public life as a councilman, in 1967 Mr. Crabiell was elected mayor of Milltown, a position in which he served for 11 years before being appointed to the Middlesex County Board of Chosen Freeholders. Elected a freeholder after his appointed term expired, Mr. Crabiell served on the board through 1991 and was reelected in 1993. Wielding a distinguished record of leadership and service, he has, unsurprisingly, risen to a leadership position on the board, where he currently serves as Freehold director.

While this record is impressive by itself, it tells only have the story. In addition to the public positions he has held, Mr. Crabiell has generously donated his talents to several different community causes. To cite just a few examples, he has served as honorary chairman of the Melvin H. Motolinsky Research Foundation, as a member of the board of directors of the Cerebral Palsy Association, and as honorary cochair of the Middlesex County Human Relations Commission.

Mr. Speaker, it is a great pleasure and honor for me to pay tribute to a man whose life has been dedicated to the betterment of his community and the service to others. Personifying altruism through public and community service, Mr. Crabiell has truly set a standard which members of all communities would do well to follow.

#### TRIBUTE TO BILL NYSTROM

##### HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mrs. KENNELLY. Mr. Speaker, I rise today to honor the memory of Mr. Bill Nystrom, who passed away after a lifetime of service to his community, State and country.

A distinguished veteran, he served in Europe on the Siegfried Line to the meeting of the Russians, and earned a Silver Star for his efforts.

Mr. Nystrom, a distinguished member of American Legion Post 197, was an artist, writer and sculptor who enriched the community of Marlborough with his work. As a sign of his commitment to his community, he designed the Marlborough Town Hall Monument, the bicentennial emblem and the town seal.

Active in the American Legion and his church, he wrote both the post's and his church's newsletters, and for many years composed the details of their Memorial Day ceremony. It is very fitting that this year his memory will be honored at the Memorial Day ceremony—a day forever linked with his years of service.

During this year's ceremony, Mrs. Esther Nystrom will lay a wreath at the Marlborough Town Hall Monument in tribute to her late husband. As we honor those who served our Nation in the Armed Forces, it is fitting we remember one who served not only his country, but his community so well.

#### TRIBUTE TO JAMES C. CARR

##### HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to my friend and law enforcement colleague, James C. Carr, who in February of this year retired from his post as undersheriff for Leelanau County, in Michigan's First Congressional District. Undersheriff Carr had held his position for the last 10 years and retires with the admiration of all who have known him.

Our paths criss-crossed 17 years ago when Jim and I were members of the Michigan State Police, assigned to the State Capital Post No. 1616. I retired from the State Police in 1984 and left Jim to continue serving our citizens. A short time later Jim joined me in retirement, but as fate would have it, both of us went back to serving the citizens of the great State of Michigan.

Little did Jim know at the time of his retirement that he was destined to give 10 more years of his life to law enforcement and the people of Leelanau County. When Jim first retired, Sheriff Charles Johnson knew that Jim would be a perfect candidate for undersheriff and asked him to share his law enforcement professionalism and skills with the people of Leelanau County. As a result, Jim has been Sheriff Johnson's faithful undersheriff for the past 10 years.

The job of undersheriff is a difficult and challenging one. Jim, however, always handled it with ease. It is not for this reason, however, that I wish to pay tribute to him. Rather, it is because when one goes out on the street in Leelanau County, it becomes apparent how much admiration and respect Jim commands of the people which he served. It is easy to find people who are pleased to stop and tell stories about a positive encounter they had with Undersheriff Carr, about how Undersheriff Carr fixed a problem, about how he went about his job with a degree of professionalism and compassion that made his sheriff, the citizens of Leelanau County, and those of us who were privileged to serve him, or to be served by him, very proud. We are all proud that he is "our cop."

Jim has always been an avid sportsman. I hope that he will enter into retirement in search of that "perfect buck" or that "perfect fish." If Jim pursues his hobbies the way he handled his professional life, I'm sure he'll find both. Thank you for your service Jim. We will all miss you, "old friend."

Thank you, Mr. Speaker.

#### TRIBUTE TO BETHEL PILOTS MEN'S BASKETBALL

##### HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. ROEMER. Mr. Speaker, I rise today to recognize and pay tribute to a group of college athletes in my district who have distinguished

themselves as the NAIA Division II Men's Basketball National Champions: The Pilots of Bethel College in Mishawaka, IN.

On Tuesday, March 14, the Bethel College Pilots defeated Northwest Nazarene College 103 to 95. The championship game topped off a 16-game-winning streak and brought a perfect ending to an outstanding season. In addition to claiming the national title, the team set the school season record for most wins, finishing 38 to 2. Pilots senior guard Mark Galloway netted the three-point buzzer-beater at the end of regulation and thus sent the game into overtime. Mark became Bethel's all time leading scorer and was named the Most Valuable Player of the tournament.

In their first year after moving up in to the NAIA, the young men of Bethel reached the top of their division. By their hard work and tenacity they have brought immeasurable pride and happiness to Bethel College, Bethel alumni and our entire community. I would also commend the leadership at Bethel College, particularly Dr. Norman Bridges, for his support of the athletic program.

Mr. Speaker, I commend Coach Mike Lightfoot, head coach of the Bethel College Pilots, for leading his team to victory, for being named the NAIA Division II Coach of the Year and for his career record of 235 wins, 65 losses. I am proud and honored to recognize this milestone in Pilots' history. I know that in the years to come these fine young men will continue to distinguish themselves with greatness in their careers, and in their communities.

TRIBUTE TO WILLIAM C. O'MALLEY

HON. JOHN JOSEPH MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MOAKLEY. Mr. Speaker, I rise today to pay tribute to William C. O'Malley, the district attorney of Plymouth County and a man I am proud to say was my friend. Bill O'Malley passed away suddenly on April 3, but I can assure you that he will not soon be forgotten.

Bill O'Malley served as Plymouth County District Attorney for nearly 17 years and was one of the finest trial attorneys in the country. Over the course of his public career, Bill earned a reputation as a tough prosecutor with an uncompromising commitment to public safety. He is credited with modernizing the Plymouth County District Attorney's office and his technological innovations have served as a model to other offices across the country.

Bill's commitment to justice and sense of fairness made him a natural leader. In the summer of 1993, he was called upon to serve as president of the 8,000-member National District Attorneys Association. In this capacity, he worked very closely with President Clinton, Attorney General Janet Reno and FBI Director Louis Freeh on several important anticrime initiatives. He played an important role in drafting the Violent Crime and Law Enforcement Act of 1994 and later worked on a measure to modernize the laws pertaining to wiretap procedures.

Bill O'Malley was driven by an overriding compassion for people. This compassion made him a staunch advocate for victim's rights, especially women and children. His contributions to the community did not stop in the courtroom. A frequent speaker at local schools, he was a strong supporter of crime prevention programs. Bill also served as a mentor for many young attorneys, readily sharing his wisdom and commitment to public service.

I know Bill O'Malley was devoted most of all to his family—his wife Amy, and his twin sons, Ryan and William. Of his many achievements, his love and commitment to them is his most important and lasting contribution.

IN HONOR OF MAYOR ALAN H. JEPSON

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Ms. DeLAURO. Mr. Speaker, on Wednesday, April 12, the Milford District of the Quinnipiac Council of the Boy Scouts of America gathers to honor former Milford Mayor Alan H. Jepson with its annual Good Scout Award. This award is given to those who exhibit the high ideals that the Boy Scouts exemplify. Alan Jepson is such a man, and I would like to join the Milford Boy Scouts in paying tribute to this exceptional public servant who has also been a longtime family friend and personal mentor.

Alan Jepson has devoted his entire life to serving others. Few are more deserving of the Good Scout Award than this gentleman who has lived his entire life by the lessons he learned early as a Boy Scout. Duty, honor and country guided his choices as he enlisted in the Navy at age 17 and then went on to serve his community as mayor and city clerk.

Alan Jepson can still recite the Boy Scout oath from memory and has made those words the guiding force of his lifetime of service. The Boy Scouts helped prepare him for the rigors of World War II as he entered the Navy in service of our Nation. As with so many of the men and women who served our country during those trying times, Al Jepson was willing to make sacrifices on behalf of those who served with him.

The early lessons learned from scouting and the hard lessons learned during his time in the service helped prepare Al to become one of our most respected community leaders. He served three terms as mayor of the city of Milford in the 1960's. His energetic and compassionate style earned him the respect of the entire community. His creative initiatives, like civic day, which he founded, continues to allow Milford's young people to learn about city government and its important role in their lives. The legacy of this program has inspired generations since then and will forever enhance the city of Milford.

As the Milford Boy Scouts honor Alan H. Jepson, I am pleased to congratulate him, and to express my deep appreciation for all he has given us. He has earned a special place in the hearts of all of us whom he has touched and

enriched through his leadership and guidance. Alan Jepson is well-deserving of the Good Scout Award, and I commend him for his many years of service.

FRANK R. BARNETT: A FIGHTER AGAINST TYRANNY THROUGHOUT THE WORLD

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. HOYER. Mr. Speaker, I rise today to pay tribute to Mr. Frank R. Barnett, a former member, cofounder and director of the American Bar Association's Standing Committee on Law and National Security.

As a member of the Commission on Security and Cooperation in Europe, known as the Helsinki Commission, I, like Frank Barnett, have been outspoken in our opposition to human rights violations throughout the world. Frank Barnett not only opposed tyranny throughout the world, but he was a strong advocate in promoting freedom and democracy around the globe.

Mr. R. Daniel McMichael, of the Scaife Foundation in Pittsburgh, who joined in helping Frank Barnett create the Standing Committee on Law and National Security, provided a fitting tribute last year to Frank Barnett, which was printed in the January 1995 American Bar Association National Security Law Report. I am pleased to submit for my colleagues the story of Frank Barnett's struggle against tyranny and repression around the world, as well as his efforts in creating the Standing Committee on Law and National Security. I urge my colleagues to read this fitting tribute.

[From the American Bar Association National Security Law Report, January 1995] DAN McMICHAEL SALUTES FRANK BARNETT AT CONFERENCE DINNER

Simply put, Frank Rockwell Barnett hated tyranny. As unusually modest and low key as he was about himself and in his work with other people, whenever the subject of brutality came up, his voice would take a steely edge and his eyes would grow cold with a controlled kind of fury.

This was the dynamic that drove him through most of his professional life, that gave him the tireless energy and unfaltering will to help shape and build in this country new institutions and new cadres of young people who understood and were able to articulate the emerging role of the United States in a troubled and turbulent world.

He did not come by this naturally. Such awareness of tyranny and all that it stands for doesn't come naturally to an of us (would that it did). We have to learn it either directly or vicariously, and Frank learned it in a fairly direct manner.

As an Elizabethan scholar and teacher-turned-machine-gunner for the 69th Infantry Division that swept through Europe in 1945, Frank saw the dying embers—the legacy, if you will—of fascism, a pretty good lesson in itself as regards tyranny. But when his unit became the first to link up with the Red Army at the Elbe River—where Frank served as the interpreter between the forces and became involved in subsequent logistical matters—an even more stark lesson in tyranny emerged.



To quote The London Daily Telegraph of August 23 of last year [1993]:

"There [at the Elba River, Barnett] witnessed the negotiations over the repatriation of Red Army POWs captured by the Nazis, and was shocked to see weeping Russians hug the ground and beg to remain with the Americans. Barnett's worse fears were confirmed when the repatriated men were immediately placed before a firing squad. The experience marked him for life."

Indeed it did. Shakespeare became a hobby—beloved, but hobby all the same. Following the war there was, first, serving on the staff of General Lucius Clay in the Military Government of Berlin, and then off to Oxford as a Rhodes Scholar to read philosophy, politics, geopolitics and economics. Then back to Wabash College for a brief time—and with the specter of weeping Russian soldiers still hovering over him, Frank Barnett joined forces with former OSS Director "Wild Bill" Donovan and William J. Casey in a committee to assist anti-communist Russian escapees from Berlin and Vienna.

It was also then that Mr. Smith Richardson, Sr., found Frank and asked him to direct the programs of the then Richardson Foundation, which enabled Frank to begin the process of institutionalizing means to help raise the literacy rate of lay, political and intellectual leaders of the nation to understand better not only the issues of the Cold War, but to become more familiar with the imperatives for strong, consistent and rational leadership that had fallen upon the United States in the aftermath of World War II.

This was not an easy task, I can tell you, during the 1950's especially—given the McCarthy hearings and other too-shrill voices that overreached in their zeal to "protect America." Not that they weren't—most of them—sincere. They were for the most part. But they didn't have the hang of things, and more harm was being done than good. Polarization was occurring when consensus should have been taking place between Democrats, Republicans, liberals and conservatives about the realities of tyranny and oppression and how the United States should handle itself globally with its vital interests.

Nobody understood this dilemma better than Frank. By now it is late 1956—and the two of us had met and had had long talks in Chicago about these matters. By this time, Frank was well along in trying to find ways to build the kind of consensus the Nation needed if it was to upgrade the literacy of its leaders—lay and professional alike—in understanding more clearly the dynamics of geostrategic affairs in an increasingly more complex and dangerous world (a factor which still plagues us today in this post-Cold War era and for which this conference is particularly well tailored).

By the early 1960s, Frank had established an impressive, informed, ad hoc group of talented leaders—of respectable diversity, especially for those days—who shared the same concerns as did he. Among them; a patrician Richmond lawyer, name of Lewis F. Powell, Jr., an up-and-coming Northern Virginia lawyer, name of John O. Marsh, a brusque Navy JAG, name of William Mott, and an indescribably gifted Chicago lawyer, name of Morris I. Leibman.

There were, of course, quite a few others. But for tonight's purpose, I'll just stick with these extraordinary individuals, because they are the genesis of this Standing Committee.

It was Justice-to-be Powell's idea, you see, in answer to the critical question all of us had raised. How can we begin to institutionalize the increasing of geopolitical literacy in the United States in ways that are credible and have high leverage?

The law.

An understanding of the rule of law has to be the cornerstone if we are trying to frame geopolitical issues that delineate tyranny and political freedom.

So—supplied by Frank Barnett's conceptual guidance—Lewis Powell, with Morry at his side, took the matter to the ABA's House of Delegates in 1963, as I remember. And after a bit of spilled blood, what is now known as the ABA Standing Committee on Law and National Security was founded, with Frank as its first director. Frank subsequently founded the National Strategy Information Center, but he remained active with the Standing Committee until his death last year.

Those of you who follow the Committee's activities are well aware of this continuing impact of its work across the land, from high school classrooms and college campuses to boardrooms and the halls of government—and on distant battlefields. The Committee's leadership and composition have been consistently high in integrity and sense of mission, with people like John Norton, Moore, John Shenefield, Bob Turner and really all members of the Committee.

Frank Barnett was a man of extraordinary courage and vision, so that he was naturally attracted to others of courage and vision and they to him—which is what has given this Committee a life and vitality seldom seen elsewhere in volunteer activities.

And courage and vision are here tonight, not just a reference in paying tribute to Frank Barnett, but in the very people you have selected and the issues they are addressing. You have a tough, no fooling program. You have courageous and highly talented people to lay it out.

It is the kind of fare that Frank Barnett would have relished!

#### A TRIBUTE TO THE ROTARY CLUB OF MARYSVILLE

**HON. VIC FAZIO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. FAZIO of California. Mr. Speaker, I rise today to pay tribute to the 75th anniversary of the Rotary Club of Marysville, CA. Founded in 1920, the Rotary Club of Marysville has been a strong leader in encouraging and fostering community service in the Yuba-Sutter area.

This club has reached out to a wide variety of people, including business leaders, children, and the elderly. The Rotary Club of Marysville has contributed both financial and moral support to thousands of local organizations ranging from youth soccer to Habitat for Humanity. Throughout its long history of community service, the Rotary Club has promoted high ethical standards for the business and professional community.

But the focus of the Rotary Club is not limited to local groups. This club has lived up to its goal of fostering understanding and goodwill among people of different nations as well as its closer neighbors. Through the Rotary International Foundation, the Rotary Club of

Marysville has been a vital participant in the Polio Plus Campaign. This program has provided crucial funding and services for the fight against polio in third world countries.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in celebrating the long history of achievement of the Rotary Club of Marysville on its 75th anniversary. I commend its membership's commitment to community service, and wish them continuing goodwill.

#### STOP THE WAR ON WOMEN

**HON. GERRY E. STUDDS**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. STUDDS. Mr. Speaker, I rise today to commend the Clothesline Project.

Five years ago, after several Cape Codders had been assaulted by people they loved and trusted, they aired their dirty laundry.

These women gathered in 1990 to create the Clothesline Project—a clothesline of 31 individually-crafted T-shirts bearing witness to violence each of them had experienced.

After the initial showing of the Clothesline at a Take Back the Night Rally in Hyannis, MA, it grew quickly and grimly. A year later, I was proud to welcome the line, which then had over 1,000 shirts, to Capitol Hill. The display has now grown internationally to 35,000 shirts—a sign that, while we are finally beginning to come to terms with these physical and psychological scars, this is a tragedy of enormous proportions.

These numbers are devastating, yet the work of the Clothesline Project ensures that the suffering of women and their families serves as a healing process for the abused and as an educating tool for our communities. Through this medium, nationally, public awareness of domestic violence has grown since the Clothesline Project last came to Washington.

In 1994, Congress enacted the Violence Against Women Act as part of the omnibus crime bill. This legislation combined stricter penalties for domestic violence crimes with funding for programs to combat violence against women. While harsh sentences and new financial resources comprise a new commitment on the part of Congress to combat this war on women, they are obviously not enough to stop the bloodshed. This is why the Clothesline Project is so critical.

While I hope for a day when we will no longer need T-shirts to heal the abused, I applaud the success of the Clothesline Project at helping raise public awareness about the tragedy of domestic violence.

#### CONGRATULATIONS TO REV. JOSHPHAN T. PHAM

**HON. THOMAS J. MANTON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MANTON. Mr. Speaker, I rise today to honor Rev. Josphan T. Pham on the silver jubilee of his ordination to the holy priesthood.

In this often all too materialistic and selfish society, it is reassuring to see that there are still those who dedicate their lives to serve others. Reverend Pham is a resident at the Our Lady of Mount Carmel Church located in Long Island City in the Seventh Congressional District of New York, which I have the pleasure of representing.

On September 15, 1944, Reverend Pham was born in North Vietnam where he lived until he was 10. Soon after, he moved to South Vietnam as a refugee. He entered St. Paul's Minor Seminary located in Saigon in 1957. In 1963, Reverend Pham entered St. Joseph's Major Seminary where he studied philosophy and theology.

Mr. Speaker, on April 30, 1970, Reverend Pham was ordained a priest in his home parish. In the autumn of that same year, he was sent to Rome to study canon law. Five years later, in 1975, he was awarded a doctorate degree in canon law by the Urbanian University in Rome.

One year later, in 1976, Reverend Pham began his life in New York in the diocese of Brooklyn. While in New York, he continues to touch the lives of so many people not only as a priest, but a friend and confidant. In addition, he has been active in the Vietnamese community, helping out with issues pertaining to migration and refugees.

Mr. Speaker, in 1978, Reverend Pham was transferred to the parish of St. Jua of Brooklyn as a parochial vicar. Today, he is settled at the parish of Our Lady of Mount Carmel where he has resided since 1983. In 1984, he was incardinated to the diocese of Brooklyn.

Mr. Speaker, I know my colleagues join me in commending Reverend Pham on this special day. He has led an outstanding life of service and devotion not only to his church, but to his community as well. I want to take this opportunity to let Reverend Pham know the community he serves is most grateful for his friendship and service.

#### IN RECOGNITION OF DR. SAM SCHAUERMAN

#### HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Ms. HARMAN. Mr. Speaker, I rise today to recognize the work of an educational leader from my congressional district, Dr. Sam Schauerman, who is retiring after 7 distinguished years as president of El Camino College in Torrance, CA. He devoted his professional career to the college, starting in 1965 as dean of physical science and then serving as vice president of instruction before taking office as the college's president in 1987.

El Camino College serves 25,000 students, granting associate degrees in arts and sciences, and providing an Honors Transfer Program for students who choose to continue at area universities. It also offers numerous special and innovative programs, such as the Puente Project for Hispanic students, Project Success for African-American students, a child development center, and an extensive arts program. I recently had the opportunity to tour

the Workplace Learning Resource Center, which works with area business and industrial partners to create customized workplace literacy courses directed to specific technical requirements. This effort will effectively help business in the South Bay become more successful, by providing it with a workforce equipped with the skills needed for today's and tomorrow's competitive environment.

Dr. Schauerman was first and foremost devoted to maintaining the highest quality of programs at the school, and he succeeded even during times of lean finances and economic austerity. He also focused his energies on expanding the relationship between the college and the community, through his participation and leadership in groups such as the YMCA, Methodist Church, Private Industry Council, Torrance Chamber of Commerce, and Rotary—both as president of the Del Amo Rotary and as district governor.

In addition, Dr. Schauerman brought to the college a new system of shared governance so to allow all those at the school to have a voice in the decision-making process. He began a college council, with representatives of the faculty, support staff, students, and administration and guided its development into an effective voice for local control.

The departure of Dr. Schauerman will leave a real void at El Camino College, but I am sure that he will continue to make significant contributions to the South Bay. I salute this community leader and wish him well in his retirement.

#### DOWNSIZING THE WEATHER SERVICE

#### HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. ROEMER. Mr. Speaker, Mark Twain once said "Everybody talks about the weather, but nobody does anything about it." We are here today to do something about it.

Congressman KLUG and I are introducing a bill today to privatize those functions of the National Weather Service that duplicate private sector activities. I am also pleased that Congressman CHRYSLER has signed on as the first cosponsor.

This is simple, basic legislation. The bill eliminates the specialized functions of the Weather Service that are duplicative of private sector efforts. This legislation will codify language in the President's fiscal year 1996 budget request, and support of the administration is expected.

It is also the right approach to downsizing Government. Examine a program for merit: keep what you need, eliminate the rest. We are using a scalpel approach instead of a hatchet.

The bill also codifies the Weather Service Policy Statement of 1990, which will prohibit them from competing with the private sector. The Weather Service will continue their core functions: weather forecasting to the general public, and issuing warnings of severe weather and destructive natural events such as hurricanes, tornadoes, floods, and tsunamis.

The following functions are ended under the bill: services in support of aviation, marine activities, agriculture, forestry, and other weather-sensitive activities. The approximate savings are listed below, in annual costs:

	[Millions]
Fruit frost/agricultural forecasting ...	\$2.3
Fire weather forecasting .....	.5
Dissemination of weather charts (Marine facsimile service) .....	.5
Marine weather forecasting .....	2.0
Regional climate centers .....	3.2
Aviation .....	4.1
<b>Total .....</b>	<b>12.6</b>

In addition, a number of the duties of the Data Information Services Network could be privatized. Data services has an annual budget of \$36.6 million, another source of substantial potential savings.

Following are a few examples of why this is good legislation:

The Government provides frost forecasting for such giant conglomerates as Sunkist and Dole, who could easily pay for it themselves.

The airlines all have meteorologists on staff, who duplicate the services that the Weather Service provides to airlines and FAA.

The Weather Service sent a team of meteorologists to assist the Olympic Committee events coordinators to establish event schedules at taxpayer expense. There are a number of private U.S. weather companies that could have provided this service.

Marine weather forecasting is provided to private yacht clubs. The Government should not be in the business of subsidizing luxury boating.

Mr. Speaker, in order to make the large budget cuts we need to balance our budget, we must start with small steps. This legislation is a small but very significant step in the downsizing of the Federal Government, and I hope our colleagues will join Mr. KLUG, Mr. CHRYSLER, and me in supporting this bill.

#### SALUTING THE ST. THYAGARAJA MUSIC FESTIVAL

#### HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. STOKES. Mr. Speaker, in just a few days, on April 15, 1995, the city of Cleveland, OH, will begin the 18th annual celebration of the St. Thyagaraja Music Festival. The 6-day event is being held at Cleveland State University in cooperation with the university's Indian cultural studies program. I take pride in welcoming the St. Thyagaraja Musical Festival to my congressional district. I am pleased to share with my colleagues and the Nation some important information regarding the festival.

The Thyagaraja Music Festival has a rich heritage that can be traced to the immigration of Asian Indians to the Greater Cleveland area in the 1960's. As Indians immigrated to Cleveland, they maintained their cultural and religious ties. The Thyagaraja Festival offers a musical homage to the saint-composer, Sri Thyagaraja. Thyagaraja, who lived during the same period as Beethoven, is one of the most



skilled and best known Indian composers. The first Cleveland Thyagaraja Festival was held on April 8, 1978. A group of 75 individuals assembled in the basement of Faith United Church of Christ in Richmond Heights, to sign Thyagaraja's "Five Gems of Songs."

Mr. Speaker, over the years the Thyagaraja Festival has grown in size and scope. Festival organizers were able to foster a close working relationship with Dr. T. Temple Tuttle, who serves as director of the Indian cultural studies program at Cleveland State University. Under the leadership of this distinguished individual, for the past 16 years, the Thyagaraja Festival has been held at Cleveland State. Last year, more than 2,000 individuals attended the festival. They came from across the United States, and as far away as Canada, Europe, India, Hong Kong, and Singapore.

This year, the Cleveland Thyagaraja Festival will welcome 22 artists from India. In addition, the festival will include music competitions in Vocal, Veena, Violin, and Mridangam. Another highlight of the festival is the essay-writing competition based on the theme, "What The Cleveland Festival Means To Me."

Despite its great expansion, the Thyagaraja Festival has kept to its basic purposes: remembering the great composer, Thyagaraja, by the performance of his works; maintaining broad-based participation of amateur devotees; encouraging children to keep the Indian classical music traditions strong; providing inspirational professional concerts and delicious south Indian food without charge; and encouraging non-Indians to participate, thus increasing multi-cultural understanding.

Mr. Speaker, I take pride in recognizing the 18th annual St. Thyagaraja Music Festival. I also take this opportunity to commend Professor Tuttle and the Cleveland State University family for their strong support of this important effort. I am certain that the festival will be great success.

#### STATEMENT FOR THE INTRODUCTION OF LEGISLATION ON AWARD OF THE PURPLE HEART

##### HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. STUMP. Mr. Speaker, today I am introducing legislation to provide for the award of the Purple Heart to certain former prisoners of war. My distinguished colleagues, SONNY MONTGOMERY, DAN BURTON, JIM TRAFICANT, and MIKE BILIRAKIS join me in introducing this bill. It provides for award of the Purple Heart to persons held as prisoners of war before April 25, 1962, on the same basis as persons held as prisoners of war after that date.

Now, only former prisoners of war from the Vietnam and Persian Gulf wars are eligible to receive the Purple Heart for injuries received at the hands of the enemy while in captivity. This is because on April 25, 1962, President John F. Kennedy signed Executive Order 11016 to ensure that U.S. prisoners of war would be eligible to receive the Purple Heart for injuries received as prisoners of war, or if ill-treatment resulted in death.

Unfortunately, the Executive order has not been applied retroactively. Among other reasons, the Department of Defense felt that a retroactive award of the Purple Heart would contradict the decisions made by past military leaders who thought that injuries incurred while a prisoner of war during those actions were the result of war crimes, and not the result of legal acts of war. While I respect the prevailing reasons for these judgments at the time they were made, I believe it is of overriding importance to bestow this much-deserved recognition retroactively upon those individuals who suffered in so many ways as a result of their willingness to defend all that we hold sacred.

Differentiating among American prisoners of war on the basis of a date is a grave injustice to those men and women prisoners of war from World War I, World War II, and Korea. The inhumane treatment they often endured at the hands of the enemy ranged from physical and psychological torture to starvation and even execution.

Both the Bush and Clinton administrations have been urged on a bipartisan basis to rectify this injustice by executive action and nothing has been done. Now, on a bipartisan basis, we are introducing this legislation. The award of the Purple Heart to these former prisoners of war would serve as a reminder to Americans of all ages of the sacrifices made by its military men and women in service to their country.

#### IN TRIBUTE TO DR. BOSHRA MAKAR ON HIS RETIREMENT AS A PROFESSOR AT ST. PETER'S COLLEGE IN JERSEY CITY, NJ

##### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to Dr. Boshra Makar, as he retires from his position as professor at Saint Peter's College in Jersey City, NJ. Dr. Boshra Makar is an exceptional human being who has dedicated 48 years to teaching students around the world. He is a pioneer in his field of mathematics and his work has been widely recognized.

Dr. Boshra Makar was the youngest graduate of his class and graduated No. 1 from Cairo University in 1947. He received a fellowship and began to teach at Cairo University while he was studying for his masters in mathematics. In 1995 he received his Ph.D. in mathematics.

Throughout his 48-year teaching career, Dr. Boshra Makar has spent time visiting, and teaching in universities around the world including Egypt, Russia, and Lebanon. In 1962 he was invited to attend a scientific exchange program at Moscow University. After teaching in Moscow, he spent several years teaching in Lebanon at the American University of Beirut. He then migrated to the United States to teach at Michigan Technological University. In 1967, Dr. Boshra Makar moved to Jersey City to teach graduate and undergraduate students at Saint Peter's College.

He has not only distinguished himself as a teacher, but as a scholar. Dr. Boshra Makar has published over 20 research papers in leading mathematical journals throughout the world. He has published articles in prestigious journals such as the *Bulletin des Sciences Mathematiques* in Paris, and for the American Mathematical Society. Dr. Boshra Makar has written research papers in the fields of functional analysis, complex variables, algebra, and cryptology.

Dr. Boshra Makar's accomplishments have been acknowledged in numerous reference works such as *Who's Who in the World*, *Who's Who in America*, *Who's Who in the East*, *Who's Who in Education*, *Who's Who in Technology*, and *Personnage Contemporain* (Academia Italia). He has touched many lives with his dedication and commitment to scholarly pursuits.

Dr. Boshra Makar is truly an outstanding citizen, and I am very proud to have him living and working in my district. His contributions will be remembered through his publications, which will inspire future mathematicians. Even though he is retiring from teaching at Saint Peter's College I know he will remain an active citizen, and scholar. Please join me in wishing Dr. Boshra Makar a happy retirement.

#### POSTAL ADDRESSES

##### HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. YOUNG of Alaska. Mr. Speaker, today I rise to introduce legislation that will ameliorate problems stemming from the U.S. Postal Service policy that prohibits the users of commercial mail receiving agents [CMRA's] from submitting a standard change of address form to expedite routine mail delivery service.

In nearly all cases when an individual changes residency, the U.S. Postal Service facilitates prompt and accurate mail delivery by encouraging the postal customer to file a mail forwarding change of address form. Atypically, when a CMRA customer relocates, that individual is responsible for informing all potential mailers of any change of address. This policy creates delays and may exacerbate mail fraud as testimony has shown that the first line of defense against fraud is accurate information regarding postal addresses.

Current policy is contradictory to the Postal Service's charge to ensure prompt, accurate mail delivery service. This important legislation will benefit all parties in this particular mail delivery chain: the U.S. Postal Service, the CMRA's, and most importantly, the postal customer.

#### THE EMBASSY'S 11 YEARS OF WORKING WITH THE HOLY SEE

##### HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MANTON. Mr. Speaker, I rise today to share with my colleagues some thoughtful remarks delivered by my friend, the Honorable

Raymond L. Flynn, the United States Ambassador to the Vatican.

In this excerpt of a recent speech delivered by the Ambassador he discusses the important relationship between the Vatican and the U.S. Embassy to the Holy See. The Ambassador eloquently describes the role morality and a humanitarian spirit should play in the United States international policy. I urge my colleagues to read Ambassador Flynn's remarks and consider the special role that believers of all faiths can play in ensuring our world becomes a better place.

#### THE EMBASSY'S 11 YEARS OF WORKING WITH THE HOLY SEE

While the initiative on humanitarian aid delivery is new, it is not out of character with the close cooperation between the U.S. and the Holy See since formal diplomatic relations were established in 1984.

In the eleven years of full diplomatic relations, the U.S. Embassy to the Holy See has actively pursued U.S. foreign policy goals by working closely with the Vatican on political, economic, and social concerns. The U.S. has worked closely with the Vatican on the UN population conference in Cairo to produce a workable final document. We pursued our joint goals of sustainable and equitable development at the Copenhagen conference on social development held at the beginning of March. At the conference, Hillary Rodham Clinton made a strong appeal to the world community not to forget the most blatant victims of poverty in society today, women and children. The same compassionate appeal was delivered to the conference on behalf of Pope John Paul II by Monsignor Diarmuid Martin, the Catholic Church representative at the conference. The Catholic Church's view of what needs to be done to alleviate the suffering, pain, and lack of development in the Third World is, for the most part, not in conflict with what Mrs. Clinton told the conference nor with the Clinton Administration's stated policy. But it does conflict greatly with the views contained in the Contract With America and with the views of those in Congress who advocate budget-cutting at the expense of the poor and needy—at home and abroad. It is one thing to call for a balanced budget amendment to the Constitution; it is another to try to achieve such an amendment with the unbalanced policy of targeting poor and working families.

#### FALL OF COMMUNISM

Working towards common goals was also true in the case of the birth of democratic movements in Eastern Europe. The Catholic Church in general and Pope John Paul II in particular were instrumental, through work and example, in demonstrating the illegitimacy of the communist regimes. The U.S. and the Vatican worked together to support nonviolent opposition groups such as Poland's Solidarity. Soviet President Gorbachev has said the Pope was the most important cause of the fall of communism. It was remarkably perceptive and visionary of the College of Cardinals to elect Karol Wojtyla of Poland, who had lived and worked under communism in his native land. I personally saw the moral influence of Pope John Paul II at the height of political instability in Eastern Europe. I attended Catholic Church services with outlawed Solidarity workers at St. Brigid's Church in Gdansk and at the Lenin shipyards when a letter of support and encouragement sent by the Pope inspired people throughout the church and country.

Pope John Paul kept the Solidarity movement alive, which led ultimately to the fall

of communism in Poland and inspired other Eastern bloc countries to move towards democracy.

Another example of convergence in policy goals was in the arena of human rights and religious freedom. The Holy See, as a full member of the Helsinki Process, drafted the language on religious freedom that set the benchmark against which the failings of totalitarian regimes could be measured.

The Embassy worked with the Vatican on several aspects of the crises in Central America during the 1980's. When Panamanian strongman Gen. Noriega took refuge in the papal nuncio's residence on Christmas Eve 1990, the Embassy negotiated his departure.

The Embassy had the unique opportunity to be involved with peacemaking in 1990-92 when it acted as observer and facilitator at the Rome talks between the two warring factions in Mozambique. The talks concluded successfully with a cease-fire in October 1992.

The Embassy has recently followed the Algerian national reconciliation talks which were held in Rome involving the main Algerian opposition parties. This process has a real chance to achieve peace in a country where thousands have already died in fighting.

#### HISTORIC CATHOLIC-JEWISH ACCORD

Our Embassy has been particularly active in furthering U.S.-Holy See cooperation on a number of issues. At the direction of President Clinton, we actively pursued establishing full diplomatic relations between the Holy See and Israel; this historic achievement was accomplished in 1993. I met extensively with Israeli political and religious officials in the cause of furthering Christian-Jewish and Vatican-Israeli understanding. At the same time, I keep close contact with the Catholic hierarchy that represents Lebanese and Palestinian peoples and others who do not yet feel full partners in the Middle East peace process. Holy See-Israel relations was the first topic President Clinton raised with the Pope at their first meeting in Denver in August 1993. During their discussion, the President highlighted three important outcomes of Holy See-Israel relations: they would help to further the peace process in the Middle East; show that two great religious faiths can bury centuries of misunderstanding and work together; and deal a blow to anti-Semitism around the world. These achievements are all in U.S., as well as Vatican, interest.

Humanitarian issues have always been prominent in my work at the Vatican, since they are extremely important both to the U.S. and the Holy See. In November 1993, I traveled to central Africa to visit AIDS hospitals in Uganda and relief workers in Sudan, and stayed with humanitarian representatives in Somalia. Over the past many months, my travels have taken me to such wide-ranging places as Haiti to meet with Catholic Church and business leaders and Paris to meet with President Jean-Bertrand Aristide. In April 1994, I was in Sarajevo and, in September 1994, visited Croatia and saw firsthand the devastation of the former Yugoslavia. While in Sarajevo, I met with Muslim, Jewish, and Catholic Church leaders. I put the issue of religious freedom in Asia on the agenda for a meeting in Rome between Secretary of State Warren Christopher, National Security Advisor Tony Lake, Cardinal Angelo Sodano, and Archbishop Jean-Louis Tauran.

#### OPEN DOOR DIPLOMACY

Another aspect of our work at the Vatican occurs outside the office and involves reach-

ing out to groups across the religious spectrum. During my time in Rome, I have hosted at the Ambassador's residence a group of black Baptists, various Jewish groups, a Catholic-Mormon choir from Salt Lake City, Muslims from Egypt, prominent Cardinals, and a great number of Italian and American church leaders. This Embassy is in a prime position to show the importance to the U.S. government of all religious and beliefs, and I have actively pursued that role in Rome. The Embassy actively supported the historic Holocaust remembrance ceremony held at the Vatican in 1994 which brought together for the first time the Chief Rabbi of Rome, Ello Toaff, the Pope, the Italian president, and others to commemorate the Shoah within Vatican City.

The Vatican has an impressive if low-key record in dealing with the most important issues of social and economic justice on the world stage. The U.S. Embassy to the Holy See has worked closely with the Vatican on these issues, since our goals are the same on so many issues. I look forward to continuing cooperation on the important and critical issues that will confront us in the future. In naming Pope John Paul II its 1994 "Man of the Year," Time referred to the Pope as the world's foremost defender of human rights. It is thus most fitting that the U.S. should be one of the more than 150 countries with an ambassador to him and to the central government of the Catholic Church.

#### A BRIEF HISTORY OF U.S.-VATICAN RELATIONS

As we look to the future, I always find it helpful to keep in mind the past, in this case the long ties that have bound the U.S. and the Holy See together. The relationship itself has over two hundred years of history behind it. The first contact was in 1788 when a Vatican official contacted Ben Franklin, then the nascent republic's representative in Paris. The Vatican wanted to know if the U.S. had any objections to the appointment of John Carroll as first bishop of Baltimore. Franklin's reaction was immediate and unequivocal; the new government guaranteed freedom of religion and had no interest in the internal affairs of the Catholic Church. Rome never asked for approval again, and the tradition of strictly separating Church business from diplomacy has been a hallmark of American governmental dealings with the Vatican ever since.

Until 1870, the Pope was also the temporal ruler of the city of Rome and much of central Italy. Washington maintained consular and diplomatic relations with the Papal government and in 1848 sent a charge d'affaires to head a legation. The mission was closed at the end of 1867 when Congress, fired by anti-Catholic sentiment, voted against funding it. In 1870, the King of Italy conquered Rome and the Pope withdrew inside the Vatican walls.

There were no formal diplomatic links between the Vatican and Washington until 1939. During that time, any business that arose, such as when President Harding encouraged the Pope to establish an American Catholic parish in Rome, was handled through the Vatican's apostolic delegate in Washington or through the American hierarchy.

#### POPE LEO XIII AND FDR: UNSPOKEN TIES

President Franklin D. Roosevelt made the first steps towards reestablishing diplomatic links when he sent Joseph Kennedy as his personal representative to the coronation of Pope Pius XII in 1939. Roosevelt, as much as any president, knew the invaluable nature of strong ties to the Vatican, both diplomatically abroad and politically at home, including the Vatican's important role in efforts to



avert war and assist refugees and other displaced people. President Roosevelt was aware of papal encyclicals such as *Rerum Novarum* by Pope Leo XIII in 1891, which had such a profound impact on the rights of working men and women in the United States. Former FDR aide and Postmaster General James Farley once told me that President Roosevelt was guided by this historic encyclical when crafting his "New Deal" social and economic programs during the great depression.

President Roosevelt began dealing with the Holy See through various channels, including an American monsignor on the Pope's staff. That October, the President discussed with Archbishop Spellman of New York the idea of appointing a "personal representative" to the Vatican, thus avoiding the need for Senate approval, as would be the case were an ambassador to be named. Roosevelt correctly realized that the Senate, influenced by fears that a Vatican Embassy might get improperly involved in mixing church and state, would oppose appointing an ambassador. A personal representative was able to do the same things, anyway.

Roosevelt announced on Christmas eve 1939, that he was sending Myron Taylor as his personal representative to the Vatican to forward "parallel endeavors for peace and the alleviation of suffering." Myron Taylor was a former president of U.S. Steel and active in refugee affairs. He was not a Catholic, which alleviated fears by some that he might have mixed loyalties.

Since Taylor's arrival in Rome in February 1940, the United States government has been a privileged interlocutor of the Vatican. In Taylor's case, he first began a dialogue on Jewish and Eastern European refugees, as well as on Holy See efforts to prevent a general war. This reflected President Roosevelt's perception of the wide-ranging possibilities in the new Vatican-U.S. relationship.

When Italy entered the war in June 1940, Mussolini's government forced diplomats accredited to the Holy See to leave Italy. When the U.S. and Italy went to war in December 1941, it meant the U.S. Mission also had to move into cramped quarters within Vatican City so it could carry on its work. Special Envoy Taylor only visited the Vatican briefly during the war years, but the work was carried on by U.S. diplomat Harold Tittmann. He lived with his wife and two sons in a small apartment within the Vatican until Rome's liberation in June 1944. In addition to covering the Pope's efforts on behalf of peace and refugees, Chargé Tittmann and his British colleague quietly aided many escaped Allied soldiers and airmen who sought refuge in Rome.

Myron Taylor resigned as Special Envoy in 1950 and President Truman nominated Gen. Mark Clark, the liberator of Rome, as his successor, but with the title of Ambassador. That caused such a strong reaction among some of America's Protestant denominations that the nomination was withdrawn. The practice of nominating a special presidential representative to deal with the Vatican was not resumed until President Nixon appointed Henry Cabot Lodge, former Senator and Republican nominee for Vice President, in 1969. President Carter named David Walters envoy in 1977 and later named former New York Mayor Robert Wagner, Jr., in 1978.

It was President Reagan's Special Representative, William Wilson, who worked ceaselessly to have the mission to the Holy See upgraded to Embassy status. Times had changed and there was little opposition when full diplomatic relations were established be-

tween the United States and the Holy See in January 1984. Ambassador Wilson was succeeded in 1986 by Ambassador Frank Shakespeare, and in 1989 by Ambassador Thomas P. Melady. While some may be unclear as to the nature of Vatican-United States relations, it is very clear to U.S. Presidents, Republicans and Democrats alike.

#### NEW HOME FOR VATICAN EMBASSY

On November 9, 1994, the U.S. Embassy to the Holy See dedicated its new chancery on Rome's historic Aventine Hill. The building, built as a private home in the 1950's, has been completely refurbished to house offices appropriate to the Embassy's important and unique mission. It has a commanding view of the Circus Maximus and the ruins of the palaces of Augustus and Septimius Severus. Livy claimed that Remus stood on this spot when he challenged Romulus for control of the ancient city. Later, the Emperor Decius built public baths on the site; in modern times, the Aventine has been a desirable residential area which includes several of the earliest Christian churches, as well as the Priory of the Knights of Malta.

#### SUMMARY: BUILDING FOR THE FUTURE

I hope this discussion has given you a better idea of the important work that the U.S. and the Holy See carry out together. We are able to cooperate on a range of issues because our interests so often coincide. President Clinton has often told me of the high regard he has for Pope John Paul's judgment and leadership. But it is also because of President Clinton's judgment and leadership that we will be able to build on our successful partnership with the Vatican to achieve a more just world, one in which humanitarian issues get the attention they deserve.

When we act as a nation in a moral and ethical way, practicing the policy of compassion and inclusion, we are also carrying out sound policy. We do things best when we do the right things. While we don't always agree with the Vatican on some important issues, we often work together for the same goals on issues of social and economic justice and humanitarian assistance.

On March 1, the Pope told me how pleased he was to be once again visiting the U.S. in October. It's the first time anyone can remember that the Pope and a U.S. President have met with each other in three consecutive years, and this unprecedented series of meetings attests to the important open dialogue we have with the Vatican. The Pope's visit will give the U.S. the chance to develop our relationship even further. It really is a historic partnership.

#### A BILL TO ESTABLISH A COMMISSION TO REVIEW THE DISPUTE SETTLEMENT REPORTS OF THE WORLD TRADE ORGANIZATION

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. HOUGHTON. Mr. Speaker, I am joined today by my colleague, Mr. LEVIN, in introducing legislation which will create a process by which the Congress can act to ensure that the new World Trade Organization dispute settlement system is not abused by our trading partners to undermine U.S. interests.

Late last year, in consecutive special sessions, both Houses of Congress passed legis-

lation implementing the new GATT agreement. That agreement establishes a new international body to oversee trade disputes, the WTO, and gives it unprecedented authority to enforce the decisions of its dispute settlement panels.

During the period leading up to the vote, many Americans voiced their concerns that this new international organization would undermine U.S. sovereignty and might harm rather than help U.S. interests in global trade. I spent a great deal of time and effort in developing the implementing legislation that ensures that U.S. industries and their workers would continue to have remedies available in U.S. law to protect against foreign unfair trade practices like dumping and subsidies. While it was not perfect, I supported the final version of the bill because I believed that on balance it served the interests of the United States. But this does not mean we can now ignore the legitimate concerns raised last year about the WTO and its new dispute settlement process. We must carefully scrutinize the actions of the WTO and its dispute settlement mechanism in order to ensure that our trade laws are not undermined through improper WTO decisions.

Under the WTO, as under the old GATT, trade disputes will be submitted to international panels for review. However, unlike the old GATT system, no WTO member nation will have the right to block the adoption of a panel report, even if that nation considers the panel report to be fundamentally flawed in its analysis. Thus, no WTO member nation will be able to ignore the findings of a dispute settlement panel without paying a price: international condemnation, weakened international respect for the trading rules, and possible internationally sanctioned retaliation against its goods. The enhanced power of the dispute settlement panels requires that this process be used prudently and administered wisely for the sake of the world trading system in general and American national commercial interests in particular.

The bill we are introducing establishes the WTO Dispute Settlement Review Commission composed of five Federal appellate judges, appointed by the President in consultation with Congress. The Commission will be empowered to review every decision adverse to the United States by a WTO dispute settlement panel. In cases where the dispute settlement panels adhered to the proper standard of review, and where they did not exceed or abuse their authority, no further action will be taken. But if the Review Commission determines that a panel reached an inappropriate result that amounts to abuse of its mandate, the Commission would transmit that determination to Congress. Any Member of Congress would then be permitted to introduce a privileged resolution and, if such resolution were enacted, the U.S. Trade Representative would be required to enter into negotiations to amend the WTO dispute settlement rules. After three determinations of inappropriate decisions by dispute settlement panels, any Member could introduce a privileged resolution and, if such resolution were enacted, the United States would be required to withdraw from the WTO.

This bill is very similar to legislation already introduced in the other body by Senator DOLE

to implement an agreement he reached last year with the administration to protect against just such a threat to U.S. sovereignty by the WTO. It differs only in that it clarifies that it is the U.S. Trade Representative who is responsible for negotiations to amend the WTO rules if a joint resolution is approved by Congress. It is a farsighted proposal that permits the United States to exercise international leadership. Through the careful review of WTO decisions by the Review Commission, we will be able to prevent countries who engage in unfair trade practices from abusing the role of the WTO dispute settlement panels. The United States will be in a position to oversee the operation of these panels to ensure that any such abuse does not adversely affect U.S. trade laws and ultimately, American national commercial interests.

Another important feature of this bill is the provision permitting the participation of U.S. private parties in the consultations and panel proceedings. If a U.S. private party with a direct economic interest in a WTO proceeding supports the U.S. Government's position, then the USTR must permit the party to participate in the WTO panel process. The USTR must consult in advance with the party before submitting written briefs to a panel, include the party as an advisory member of the U.S. delegation dealing with the dispute, and in certain instances, permit the party to appear before the panel hearing the case.

Private party participation is a key aspect of this bill. Because the dispute settlement decisions will be binding, it is imperative that American interests be properly represented. Given the USTR's active schedule in representing the United States in a variety of trade matters, the assistance private parties can provide will be crucial.

We welcome the support of our colleagues in cosponsoring this important legislation.

#### WTO COMMISSION ACT

#### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. LEVIN. Mr. Speaker, I am pleased to join my colleague, the gentleman from New York, in introducing the WTO Dispute Settlement Review Commission Act. This is an important piece of legislation designed to ensure that our rights as a nation to defend industries and workers from foreign unfair trade practices are not diminished by the new World Trade Organization dispute settlement system.

Last year, Congressman HOUGHTON and I worked together in the Ways and Means Committee and helped secure GATT implementing legislation that preserved the effectiveness of our trade laws against dumping, subsidies, and other unfair trade practices. These laws are a critical last line of defense for American workers and companies facing unfair trade restrictions. These laws have been on the books in one form or another for over 70 years.

But writing good laws in the Congress is not enough. Under the new World Trade Organization, the United States will no longer have the ability to veto an international dispute set-

tlement decision against us, even if we think it was wrongly decided. This creates a tremendous temptation for some of our trading partners who have been disciplined by our trade laws to use the new dispute settlement process to undermine the effectiveness of those laws. Many foreign trade negotiators have said they will attempt to use the WTO to invalidate section 301 or to force certain changes in the way the Department of Commerce enforces the antidumping laws.

We have a concrete example in our current negotiations with Japan in the Framework talks. The Japanese trade minister has threatened to bring a WTO case against the United States if we impose section 301 sanctions against Japan for its barriers to United States autos and auto parts. In effect, the Japanese want to use the WTO—which is supposed to keep markets open—to keep the Japanese market closed.

Mr. Speaker, we cannot allow this kind of abuse of the WTO. This bill is designed to create a fair and impartial process to review WTO decisions, and to provide the Congress with a mechanism to bring about changes in the WTO if it is misused.

The bill establishes a WTO Dispute Settlement Review Commission composed of five Federal appellate judges, appointed by the President in consultation with the Congress. The Commission will review every decision against the United States by a WTO panel. Where a panel has applied the proper standard of review, and did not exceed or abuse its authority, no further action would be warranted. But if the Commission determines that a panel reached an inappropriate result that amounts to abuse of its mandate, the Commission would so inform the Congress. Any Member of Congress would then have the right to introduce a privileged resolution directing the U.S. Trade Representative to negotiate amendments to the WTO dispute settlement rules to fix the situation.

And if the Commission determines that WTO panels have abused their mandate on three separate occasions in any 5-year period, Members would have the right to introduce a privileged resolution directing that the United States withdraw from the WTO by a date certain if one last effort to amend it fails.

This basic arrangement was agreed to by our U.S. Trade Representative Mickey Kantor during last year's GATT debate. I think Ambassador Kantor deserves credit for recognizing the legitimacy of this issue and working with Members of Congress, both Democrats and Republicans, to craft a fair solution.

The Commission may find that its very first case involves Japan and the auto sector. If Japan carries through on its threat to appeal to the WTO rather than open its markets, and if the WTO panel were to rule against us—an occurrence I do not foresee in view of the clearly exclusionary and discriminatory practices presently undertaken or tolerated by the Government of Japan—this would raise a serious question about whether the new WTO dispute settlement process is really in our national interest. I would expect a very careful review of that decision by the Review Commission, with appropriate recommendations to the Congress.

But it is my sincere hope that the mere existence of the Commission will encourage ap-

propriate use of the WTO and will discourage WTO panels from acting beyond their authority when such cases are brought.

Finally, let me also speak to the final section of the bill, which provides that private parties may participate with the USTR in WTO dispute settlement proceedings. Under our legislation, if a U.S. private party with a direct economic interest in a WTO proceeding supports the U.S. Government's position, then the USTR must permit the party to participate in the WTO panel process. This private party participation is critical to protecting American jobs. Because the dispute settlement decisions will be binding, it is imperative that the interests of American companies and their workers be fully represented. This is not meant as a criticism of USTR in any way. But given the reality of USTR's many obligations in negotiating with countries around the world, they need the help of the private sector.

Mr. Speaker, this is an important piece of bipartisan legislation, and I hope we can move quickly to see it enacted into law.

#### RESIST IMPULSE TO BE PENNY WISE AND POUND FOOLISH

#### HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. NADLER. Mr. Speaker, I rise today to add my voice to the growing concern expressed by many of my colleagues over the dangerous and devastating effects of many of the actions taken by this body in recent weeks, and actions that will be taken in the coming weeks.

I am gravely concerned that the frontal attack on low- and middle-income Americans that some are waging will have far-reaching effects that we cannot begin to fathom today.

Some Members of this body seem to be engaged in a race to cut, with little regard to what we are cutting, and what the effects of these cuts will be to Americans who are truly in need of assistance. While there is most certainly wasteful spending occurring which must be addressed by this body, we seem to be engaged in an exercise which is driven by a complete disregard to the content of what we do, with regard only to how much we do.

At the same time, we are transferring spending authority to our States, many of which are engaged in the same exercise.

We must remember that the cuts we make here are being echoed in our cities and our States. Even the most cost-effective programs are being cut at the city and State level—including a small and highly effective program in New York State called NORC, designed to assist moderate-income elderly remain in their homes, rather than cost taxpayers millions by financing nursing home care. This program receives only \$1 million of State funding, and cutting it would likely end up costing much more.

We must resist the impulse to be penny wise and pound foolish. We must also be aware that, in our current climate, the cuts we make in Washington will be duplicated at the city and State level. We must equally resist



the impulse shared by some in this House to punish those most in need of assistance—the poor, the elderly, the disabled, children, workers, legal immigrants—and to place the blame for our Nation's deficit on those who truly need assistance.

### DO NOT FORGET MILITARY RETIREES

**HON. JOHN M. McHUGH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. McHUGH. Mr. Speaker, today the United States stands as the world's only remaining superpower. Having won the cold war we set out to downsize our military and cut defense expenditures. As we continue this process, we must not forget those military retirees who, through their many years of service and dedication, helped secure our Nation's future.

I fear that those who served during the World War II, Korea, and Vietnam eras, and who have since retired from the military, are being asked to bear unfairly the brunt of this downsizing process. The closing of bases throughout the country will leave many retirees without immediate access to DOD medical facilities. For example, the 1993 BRAC Commission's ill-advised closure of Plattsburgh Air Force Base will leave thousands of military retirees in upstate New York and in nearby Vermont without the services of the base hospital. Retirees over the age of 65 will be forced to rely on other, more costly, means to secure health care. Many people joined the military with the understanding that DOD would provide them with health care for life.

If we renege on our commitment to these military retirees, it will only serve to harm future efforts to attract high-quality personnel. We cannot expect service members to make a long-term career out of the military if we continue to demonstrate that a promise made yesterday no longer counts today.

Mr. Speaker, we have come to be a nation of strength by holding steadfast to our commitments and not by shirking our responsibilities. We did not do it in the past and we should not start now, especially when it comes to those men and women who were willing to make the ultimate sacrifice for their country. I believe that we must do whatever is in our means to ensure that these military retirees are not left to fend for themselves.

### NATIONAL BEVERAGE CONTAINER REUSE AND RECYCLING ACT OF 1995

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MARKEY. Mr. Speaker, today I am introducing the National Beverage Container Reuse and Recycling Act of 1995. This important piece of legislation is especially relevant today as we approach the 25th anniversary of Earth Day. I have introduced this legislation in

the past with my colleague, the late Paul Henry (R-MI), who was a true and dedicated champion for this important initiative, and hope that my colleagues will this year embrace this bill that combats the problems we have of shrinking landfill space, skyrocketing waste disposal costs, misspent energy and natural resources, and litter strewn roadsides by setting in place a national beverage container recycling program. If passed, this bill would save millions of dollars in energy costs, divert a significant portion of the solid waste stream, foster the growth of a recycling infrastructure, and help reverse the throwaway ethic our Nation has embraced.

Most importantly, this will be done at no cost to the taxpayer. This bill, which requires a deposit paid on beverage containers, will act as a positive economic incentive to individuals to clean up the environment and will result in a high level of reuse and recycling of such containers, and help reduce the costs associated with solid waste management. Such a system will result in significant pollution prevention, energy conservation and recycling.

We can conquer the problem of one-way, throwaway beverage containers as 10 States have already done. Under these deposit programs, which are in effect in California, Connecticut, Delaware, Iowa, Maine, Massachusetts, Michigan, New York, Oregon, and Vermont, consumers pay a deposit on each container purchased, and this is refunded when the container is returned. Consumers in these States have proven the effectiveness of such legislation by reaching recycling rates as high as 95 percent.

This bill will encourage the development and maintenance of a recycling infrastructure. The plastics industry, which already has a recycling infrastructure, would particularly benefit from this bill since it has been plagued by supply shortages.

Consumers have demonstrated the popularity of deposit laws. A General Accounting Office [GAO] study found that 70 percent of Americans support national deposit legislation. Perhaps more importantly, in States that have deposit laws, this level is even greater.

This bill allows States to recycle in any manner they wish, as long as they achieve a 70-percent recycling goal for beverage containers. Only States that fail to meet this challenge would be required to implement the deposit program outlined in this bill.

To further encourage recycling efforts, the unclaimed deposits collected under this bill, which could total as much as \$1 to \$1.7 billion annually, would be used to support other recycling programs. For example, deposit laws can help subsidize the costs of curbside recycling. Together, deposit laws and curbside recycling can result in greater recycling and reuse than either program could alone.

In celebration of Earth Day, just 2 weeks away, I introduce this legislation that will help us to reach our environmental goals by conserving our natural resources and reducing litter and pollution. I urge my colleagues to support comprehensive recycling by cosponsoring the National Beverage Container Reuse and Recycling Act of 1995.

### REPEAL THE SHORT-SHORT TEST FOR REGULATED INVESTMENT COMPANIES

**HON. MICHAEL PATRICK FLANAGAN**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. FLANAGAN. Mr. Speaker, to qualify for taxation as a regulated investment company [RIC], a mutual fund must meet various tests. One of the tests is that a RIC must derive less than 30 percent of its gross income from the sale or distribution of certain investments, such as stocks, options, futures, securities, and forward contracts, held less than 3 months. This is known as the short-short test. Mr. Speaker, today I am introducing legislation to repeal the 30 percent of gross income limitation applicable to regulated investment companies.

The short-short test severely inhibits the ability of RIC's to adequately respond to fluctuating market conditions. Under present law, RIC's are not able to protect their investors as well as possible. This is because RIC's can not, for example, completely hedge their investments against adverse market trends. Similarly, if prices go up, a portfolio manager may not be able to sell certain securities, even if it is advisable to do so, solely because of the short-short test. They are stymied by the 30-percent barrier, even though it could be advantageous to go beyond that point and realize more than 30 percent of their gross income from certain investments. The inability to freely trade stocks, options, securities, and the like can adversely affect 401K's and various types of retirement funds invested in mutual funds.

Portfolio managers cannot totally maneuver to protect their investors without having their RIC status adversely impacted if they violate the 30-percent mark. The repeal of the short-short test will give those managers the capability to fully protect profitability for their shareholders. As it stands now, portfolio managers are often forced to make investment decisions based on tax strategy rather than investment strategy.

The short-short test is also an administrative nightmare. RIC's have to track the percentages of short-term and long-term gain realized daily and cumulatively throughout the year, and the holding periods of their assets. This, of course, creates extra costs for RIC's that are passed on to shareholders. Repeal of the short-short test will eliminate an inordinate amount of paperwork and accounting costs for the RIC's, and help their shareholders keep more of their investments.

Repeal of the short-short test has previously received strong bipartisan support. It passed the House unanimously on May 17, 1994, as part of the Tax Simplification and Technical Corrections Act of 1993. Unfortunately, the legislation was not enacted into law. I am bringing the issue forth for the 104th Congress because I believe it is still a much needed reform that can only help, and in no way hurt, the American economy.

April 6, 1995

TRIBUTE TO SAMUEL T.  
YANAGISAWA AND HIS WORK ON  
IMAGE INTENSIFIER NIGHT VI-  
SION EQUIPMENT

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to recognize and commend the accomplishments of an outstanding individual and fellow Texan who has done exceptional work in the development and manufacture of night vision equipment. This equipment enabling armies to fight in the dark is one of the most profound changes in military capability in history. It was a critical factor in the low loss of life and played a major role in the success of Operation Just Cause in Panama and Operation Desert Storm in Kuwait. These examples alone prove conclusively that night vision technology has revolutionized military tactics and strategy.

Sam Yanagisawa was instrumental in the development and manufacture of the first generation of image intensifier night vision equipment and of subsequent generations of goggles for night flying and for use by ground troops. His leadership, dedication, innovation, and frankly, his genius, led the way in providing our fighting forces with a night fighting capability that has proved decisive. He has been in the forefront with both the public and private sectors.

Mr. Yanagisawa was one of the founders of the U.S. Night Vision Manufacturers Association that help persuade our forces to adopt this equipment and develop the necessary doctrine for its employment. His initiative, foresight, and professionalism contributed immeasurably to the success of this effort. At the same time, he served on the Army Science Board, chaired two summer studies, and currently serves on the Air Force Studies Board.

Mr. Yanagisawa served in various positions at Varo Inc., from 1967-1987 where he developed the first generation of night vision tubes and equipment at high rate of production and introduced special process computers for the complex production of photocathodes, an integral part of image intensified devices. He went on to facilitate the efficient production of second generation tubes and equipment so that night goggles could be practicable for ground and airborne applications. He retired as chairman and CEO of Varo in 1987.

Mr. Speaker, I salute Sam Yanagisawa for his hard work, diligence, and outstanding accomplishments in the development of night vision. We all owe him a debt of gratitude for his years of dedication and join together in commending him for showing great foresight and commitment to the night vision industry. We thank him for his genuine contributions to our Nation's security and wish all the best in his future endeavors.

EXTENSIONS OF REMARKS

H.R. 1378, REGARDING RENUNCI-  
ATION OF AMERICAN CITIZEN-  
SHIP

**HON. SAM GIBBONS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. GIBBONS. Mr. Speaker, last week the Republicans in the House of Representatives, acting on behalf of powerful lobbyists representing unnamed clients, succeeded in stopping a provision that would have prevented wealthy Americans from avoiding billions of U.S. tax by renouncing their American citizenship.

Earlier this week, I introduced H.R. 1378, which would require that those unnamed clients be identified to the public. The legislation would require the Secretary of State to publish in the Federal Register the names of individuals who renounce their U.S. citizenship. Individuals enjoying enormous tax advantages through renunciation of their U.S. citizenship should be publicly identified.

In the debate last week, Republicans tried to faithfully follow the script prepared by lobbyists representing wealthy expatriates and those few wealthy Americans planning to renounce their allegiance to their native country in the near future. Their arguments were eloquently refuted by the Democratic Members participating in the debate and we need not repeat that debate.

However, the Republicans did stray from the script prepared by these lobbyists in several respects, and I want to respond to those arguments. They accused the Democrats of engaging in class warfare and attempting to tax wealthy individuals out of existence. They argued that these wealthy individuals would not have engaged in the despicable act of renouncing their allegiance to the United States but for the punitive levels of taxation in this country.

The Republican concern for the wealthiest among the privileged class is understandable given their political philosophy but, from the average taxpayer's perspective, it is seriously misguided. The wealthiest of the wealthy did quite well during the 1980s. The wealthiest of Americans saw their share of total income almost double in the 1980s. According to Treasury Department data, the share of total income reported by the top one-half of 1 percent of taxpayers increased from 6.05 percent in 1979 to 11 percent in 1989.

Their argument that our taxes are at punitive levels is totally false. The United States has one of the lowest tax burdens of all industrialized nations in the world. It is true that our rates exceed those provided by the tax havens to which these wealthy people are fleeing. However, those individuals can reside safely in those havens only by reason of the defense expenditures of this country which enable wealthy expatriates to live safely anywhere in the world. Many of these expatriates continue to live and work in this country for large portions of the year.

The argument that I find most appalling is the argument that we engaged in class warfare when we tried to prevent these billionaires from avoiding their tax responsibilities by re-

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nouncing their U.S. citizenship. Two weeks ago, Republican Members of this House compared poor Americans to "alligators" and "wolves" and engaged in crude stereotyping of welfare recipients by referring to "studs" outside their homes. They passed a welfare reform bill that took \$66 billion away from the poorest of American citizens. None of this was considered class warfare by the Republicans. However, they condemn as class warfare our attempt to make a handful or two of the wealthiest of the wealthy bear the same burden of tax as all the rest of us.

I will continue to work toward making our tax system fair to all who benefit from this great country. H.R. 1378 is one small step in that direction.

CHECK-OFF FOR OUR CHILDREN  
ACT

**HON. DAVID MINGE**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. MINGE. Mr. Speaker, Representatives JAN MEYERS, PETER DEFazio, TILLIE FOWLER and I are introducing a bipartisan bill to provide the American taxpayer with a way to contribute directly to eliminating the national debt. This legislation allows citizens to check a box on their Federal tax return and indicate the amount of the tax refund each citizen would like to direct to retire the national debt. The Check-Off for Our Children Act will form a partnership for America's future between citizens and the Congress of the United States to reduce our national debt and to reclaim the economic future of the next generation of Americans.

I think that everyone would agree that America is at a crossroads in history. The next 20 years will determine whether we will let our staggering debt turn the American dream into a nightmare. The growth of our economy, creation of meaningful jobs, a reduction of Federal spending, revitalization of our infrastructure and the preservation of our environment for future generations all depend upon our ability to reduce our national debt. We have all benefitted from these deficits over the years, but now it is time to own up. Unless the Congress and our citizens act in unison now, the Federal Government's sole function will soon be to transfer tax dollars to meet interest payments on the debt and the rapidly expanding entitlement programs.

There is now a growing willingness in the hearts and minds of the American people to play an active role in retiring the national debt, thanks in part to the efforts of Lucile McConnell and The Fund to End the Deficit. Lucile has worked tirelessly to educate Americans about the threat the deficit poses to future generations and opportunities they have to help solve this problem. This desire can be met by a little known Federal statute, Public Law 87-58, which was signed into law in 1961 by President Kennedy. This law enables every citizen to contribute directly to retiring the national debt. In conjunction with the Check-Off for Our Children, taxpayers can simply mark a check-off box on their tax returns to designate



a portion of their tax refunds on the condition that it be used only to retire the national debt.

The greatest principle of democracy is that we each have a choice. The Check-Off for Our Children gives each of us a choice to turn back to the principles underlying our democracy: responsibility, participation, citizenship, and fiscal restraint. Each of us must take responsibility for our country and our future. We in Congress have a responsibility to make the difficult choices required to cut Federal spending and balance our budget. The Check-Off will ensure that every American has the opportunity to make a direct contribution to retire the national debt.

As we reduce the national debt, we will realize at least three immediate benefits. We will reduce the risk of inflation as excess cash is applied to debt retirement. We will stabilize interest rates. And most important, as we reduce the amount we must spend on interest every year, we will also reduce overall Federal budget requirements. The benefit for future generations goes far beyond these three—the benefit to our children is the inheritance of a renewed America.

#### THE SAGINAW GANG CRIME TASK FORCE: COMMUNITY POLICING AT ITS BEST

#### HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. BARCIA. Mr. Speaker, there is no doubt that the safety of our streets is a key concern for all Americans. And just as people have become more aware of our crime problems, many good citizens have become personally involved in developing creative solutions to augmenting the ability of our hard-working police departments in the fight against crime.

The city of Saginaw had been the victim of an unacceptably high crime rate. Murders, firearms violations, and aggravated assaults were greater than surrounding areas. A 1994 survey by the Michigan Prosecuting Attorney's Coordinating Council also documented the existence of at least 13 gangs in the Saginaw area, with membership in the hundreds. These gangs were responsible for the inordinate amount of crime in Saginaw.

The Saginaw County Sheriff, Tom McIntyre, along with local Chiefs of Police, State Police officials, agents of the FBI, the Drug Enforcement Agency, the Bureau of Alcohol, Tobacco and Firearms, and the Secret Service concluded that the police needed help to deal with these gangs. Continuing work by the office of Saginaw Mayor Gary Loster, Saginaw County Prosecutor Michael Thomas, and other community organizations confirmed the concerns about gang-related crime. It became clear that resources devoted to gang activities were insufficient and that a concerted effort to deal with these gangs was necessary.

Mayor Loster and FBI resident agent Phil Kerby were then responsible for creating the Saginaw Gang Crime Task Force. Each participating agency was asked to contribute human resources to the gang crime effort, and they did it. The Task Force garnered greater public support, and their resources grew.

Since the formal introduction of the Task Force to the public on April 6, 1995, the Task Force has been directly responsible for making many public events safer. Murders are down 20 percent. Violent crime is down 10 percent. People feel better about their neighborhoods, and Saginaw is on its way to restoring its reputation as a wonderful, inviting city.

Mr. Speaker, I urge all of our colleagues to join me in praising the dedicated men and women who make up the Saginaw Gang Crime Task Force and Saginaw community leaders who have worked so hard to deal with gang crime. It shows once again that there is no better resource for our nation than concerned, committed citizens working with public servants doing the best that they can under very difficult circumstances.

#### HONORING PONCHO SANCHEZ

#### HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. PASTOR. Mr. Speaker, I would like to take this opportunity to congratulate one of the greatest jazz musicians in America, Poncho Sanchez. To recognize the accomplishments of Mr. Sanchez within the music industry, the city of Washington DC has proclaimed April 19 as "Poncho Sanchez Day."

Mr. Poncho Sanchez is a self-taught musician who has dedicated his life to the cultivation of the Latin jazz genre. He is considered one of the most prominent conga players and percussionists in America today.

Beginning his musical career in 1975 as a member of the Cal Tjader band, he toured and recorded with the band until Tjader's death. During that stage of his career he had the honor of sharing with Tjader, a friend who was also a mentor, one Grammy award for the album "La Onda Va Bein." Mr. Sanchez not only has enjoyed the opportunity to perform with the Cal Tjader band, he also has had the pleasure to performing and recording with other jazz stars, including Carmen McRae, Clare Fischer, and Woody Herman.

In 1982 Poncho Sanchez began his solo career with the album "Sonando" which helped reaffirm his place in the jazz world. His more recent achievement have included performing with Tito Puente, who played with Sanchez's band at the Playboy Jazz Festival and who appears in the album "Chile con Soul," as well as receiving three Grammy nominations. The unique style he has developed, blending powerful Latin music with lyrical jazz notes, places him in a category all his own.

Mr. Speaker, Poncho Sanchez is an exceptional artist whom I am honored to recognize. His contribution to Latin music is a sample of the richness of the Latin community. Again, I would like to send my sincerest congratulations to Mr. Sanchez for this deserved recognition.

#### TRIBUTE TO KATE BYRNES

#### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Kate Byrnes, the 1995 California Teacher of the Year. Kate Byrnes works for the Marin County Office of Education as a teacher for the visually impaired and as an orientation and mobility specialist. She has served the people of Marin County well in this capacity, and earned a reputation for being one of the most exemplary teachers in her field.

Kate Byrnes has devoted countless hours to her students and demonstrates an uncommon commitment to her educational mission. Time and time again she has intervened on behalf of her students and their families. In addition, she has coordinated overnight ski trips for the blind and visually impaired in order to increase their recreational opportunities.

Kate Byrnes has been active in organizations, including the Low Incidence Regional Network for Northern California and the shared decision-making Leadership Team of teachers and administrators for the Marin County Office of Education's special education division. She has been an instructor and guest lecturer at San Francisco State University, helping to motivate others to become exceptional teachers for the visually impaired.

Mr. Speaker, it is my great pleasure to pay tribute to Kate Byrnes for being selected as the 1995 California Teacher of the Year. Marin County owes a great deal of gratitude for the tireless efforts of Kate Byrnes over the years. I extend my hearty congratulations and best wishes to Kate.

#### MACK GERALD FLEMING

#### HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MONTGOMERY. Mr. Speaker, Friday, March 31, 1995, marked the end of an extraordinary career in public service. After 26 years on Capitol Hill, serving 21 years as chief counsel and 14 as staff director of the Committee on Veterans' Affairs, Mack Gerald Fleming retired.

Superlatives just naturally come to mind when describing Mack. As stated in the resolution presented to Mack by BOB STUMP and me, his service with the committee and the Veterans Administration was distinguished by visionary leadership, profound wisdom, sound political judgment, and a passion for meeting the needs of America's veterans.

His was the deep commitment of the true believer tempered by a unique practical sense of political possibilities and opportunities. His intuitive sense of timing and ability to reach an effective compromise resulted in the enactment of far-reaching veterans' legislation. Under his guidance, the measure elevating the Veterans' Administration to the Department of Veterans' Affairs was signed into law. Additionally, the new GI bill, which profoundly improved the ability of the Armed Forces to recruit smart, capable young men and women,

was nurtured into reality by Mack Fleming. I think Mack would also say he is particularly proud of his efforts to provide an entitlement to inpatient health care for service connected and low-income veterans.

We all know Mack thrived in and was energized by the rough and tumble of politics, and he loved nothing better than a good fight on behalf of a cause he championed. He nevertheless was not swallowed up or overwhelmed by the sometimes heady Capitol Hill existence. There was something in his background or the way he was raised that kept him solidly grounded, and that made the difference:

The difference between a boastful person and one whom people boast of knowing;

The difference between a cynical man and one who only sees the good he can do for other people;

The difference between a man who looks for credit for his accomplishments and a man who accomplishes much.

Mack Fleming is a person who is still filled with wonder and seeks to learn new things every day. He has the quintessentially American outlook first observed by de Tocqueville that although man is not perfect, with a decent amount of effort, he can be improved.

Mack came from a humble background in Georgia and South Carolina. He graduated from Clemson University in 1956 and was commissioned as an officer in the U.S. Army. He served on active duty for 2 years with the Second Armored Division in Europe. He subsequently returned to South Carolina where he was a supervisor in a textile mill for 2 years. After coming to Washington in 1960 to serve as administrative assistant to William Jennings Bryan Dorn, Mack graduated from the Washington College of Law at American University in 1966.

Mack also met his wife Libby in Washington, whom he married in 1963. He has been a devoted husband and a supportive and proud father of their children, Katie (Katharine) and John. Mack has long been an active member of the Capitol Hill United Methodist Church and regularly serves as a volunteer at the soup kitchen sponsored by his church.

Mack Fleming loved his work. He was as loyal as they come—smart, tough, a savvy politician. He particularly admired Speaker Sam Rayburn and Presidents Abraham Lincoln and Lyndon Johnson—and one could see Mack's respect for these practical politicians reflected in his strong character and deep sense of personal honor. Now, I don't want anyone to get the idea that Mack was a saint. He was occasionally more passionate than logical, and serene is not a word I associate with Mack, but he never retreated from the consequences of his conviction.

Mack brought old-fashioned values with him when he arrived in Washington 35 years ago. Through his influence and powers of persuasion, those values are integral markers for much of the work carried out by the committee and its staff. I often said he was the best, and we will certainly miss him.

## "TAKING" IT TOO FAR

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MILLER of California. Mr. Speaker, and fellow Members, I bring to your attention the attached article by Charles McCoy, from the April 4, 1995, edition of the Wall Street Journal.

Mr. McCoy presents an even-handed report of the congressional debate on the issue of private property rights and the "takings" issue, which, after passing the House, is now under way in the Senate. As Mr. McCoy notes, the House bill would require the Government to pay landowners full compensation when certain environmental protection actions trim the value of any portion of their land by 20 percent or more. In the Senate, majority leader BOB DOLE has introduced a measure (S. 605) that would lift the threshold to 33 percent and would apply to all Federal actions.

Proponents contend that the Republican bills aim merely to put common sense back in Government's attitude about private property. Perhaps these advocates can explain the logic behind these examples of litigation currently being fought under the guise of private property rights:

Summitville Mine. The Canadian company that operated Summitville Mine created a Superfund site that will cost the taxpayers about \$120 million to clean up, filed bankruptcy and left the country. Now the owners of the mine site are suing the Governor of Colorado on the grounds that because the State permitted the mine, that gave the owners significant profit but also polluted their property, the value of the land was decreased due to regulatory action.

California Central Valley [CVP]: Big agricultural corporations now receive huge amounts of public water at subsidized rates to pour on their crops. Under the CVP legislation enacted in 1992, Federal and State regulators intend to divert some of that water to save and restore salmon runs. Now, the agriculture bigwigs are claiming that if these plans go through, and the takings legislation is enacted, they will claim reimbursement for any diversion of their subsidized water allotments—at market rates—not the subsidized rates.

The argument for "takings" legislation is not simply about that bedrock of American values: protection of private property. Unfortunately for those citizens who honestly believe in the rightness of their cause, it is more a ruse being played on the American people by the proposal's strongest supporters: industries such as mining, ranching, timber, oil and gas, and agriculture. These corporate players and their lawyers know that if enacted, this bill will not bring common sense to governmental actions, but will flagrantly inflate the number of lawsuits crowding our courts and cause governmental gridlock at all levels.

I urge you to take the time to read Mr. McCoy's article.

[From the Wall Street Journal, Apr. 4, 1995]

THE PUSH TO EXPAND PROPERTY RIGHTS STIRS BOTH HOPES AND FEARS—SOME CALIFORNIA FARMERS SEE WINDFALL IN GOP BILLS; OFFICIALS FRET ABOUT COSTS

DO GRAZING ELK "TAKE" GRASS?

(By Charles McCoy)

The new Republican-controlled Congress is on its way to passing the biggest expansion of property rights in U.S. history. In California, this could very well radically drive up the cost of saving salmon—and add to the tide of litigation those rescue efforts have already spawned.

Indeed, the Republican proposals, depending on their final form, promise a procession of policy zigzags and lawsuits at all levels of government, both critics and even some proponents agree.

### MURKY CONSEQUENCES

Consider the salmon example: Big agricultural corporations in California's arid Central Valley now get huge amounts of public water at subsidized rates to pour on crops. But some of the state's historic salmon streams are drying up; under previous congressional mandates, federal and state regulators want to divert some of this water to restore salmon runs.

But, under "takings" legislation passed by the House last month, corporate farmers would have to be compensated for any diversion of their allotments. In fact, under some circumstances, the corporate farmers could claim reimbursement at market rates—meaning reimbursement out of the federal treasury at rates 10 times the subsidized rate they now pay. "We have a right to that water, and if the government wants it for fish, they have to pay us," says Jason Peltier, a top California farm lobbyist.

Until now, federal courts and the U.S. Supreme Court have, in a number of decisions, rejected this view. But the breadth and wording of the new Republican takings proposals would unquestionably give Central Valley farmers a potent new weapon; they are already preparing lawsuits in anticipation of passage of a generous takings law.

### BLESSING OR DISASTER?

Environmentalists are naturally alarmed. Says Hal Candee, an environmental lawyer with the Nature Resources Defense Council: "This is insane—the public is already subsidizing irrigation that is devastating the environment, and now we have to pay even more to make it stop?"

Moreover, the takings movement is being watched with growing concern by numerous State and local governments, which fear a huge hit on the public treasury—or a sharp decline in their ability to enforce what they consider reasonable environmental, planning and other regulations. In Riverdale, Calif., a fast-growing Southern California city bedeviled by numerous endangered species, traffic and open-space conflicts, city planner Stephen Whyld calls the new takings proposals "prescriptions for total gridlock."

Nonsense, say proponents, who argue that such legislation is necessary to rein in overweening regulators. "It's obvious that bureaucracies from the federal level down to the local school board have come to believe that the Fifth Amendment just doesn't apply to them," says R.S. Radford, a property-law expert at the Pacific Legal Foundation, a conservative legal think tank that has handled many takings lawsuits on behalf of landowners. The takings movement, he says, confronts "terrible abuses by government against individuals." Central Valley farmers,



for example, have long painted efforts to save salmon as an example of government "worrying more about fish than people."

What is certain is that the takings campaign, both in Congress and in a number of States, seeks to significantly expand interpretation of the Constitution's so-called takings clause. This is a snippet of the Fifth Amendment that holds that government "shall not take private property for public use without just compensation."

#### KEEPING A PROMISE

The recent House proposal also fulfills a promise in the "Contract With America" and is strongly supported by large industries such as mining, ranching, oil and agriculture. It requires the government to pay landowners full compensation when certain government actions to protect the environment trim the value of any portion of their property by 20% or more. The Senate is considering a proposal championed by presidential hopeful and Senate Majority Leader Robert Dole that lifts that threshold to 33%—but it would apply to all federal regulations, not just environmental rules.

Whatever its final form, such a bill, if passed, would be a populist rallying point that may be difficult for President Clinton to veto. Even if he does, the movement has plenty of steam at a State and local level. Colorado, Oregon, Texas and other states are considering their own expanded takings bills.

In fact, some private-property interests have already begun to push novel legal theories under the current state of takings law—theories that they clearly hope will be enshrined under the more expansive Republican bills. Wayne Hage, a Nevada rancher and a leader of the West's private-property movement, alleges in a lawsuit pending in the federal court of appeals in Washington that the government owes him compensation because fish and game agencies don't prevent elk herds from drinking from his streams and munching range on his 7,000-acre spread. That is a taking of his water and grass, he contends.

Mr. Hage also is credited with devising another now-popular theory in the West: that ranchers have what amounts to a private-property right to graze on public range land. Thus, Mr. Hage and several other Western ranchers have sued the U.S. Forest Service and the Bureau of Land Management, claiming that they suffered takings when the agencies tried to restrict grazing on public range, which in many areas has been scalped by years of overgrazing.

In Mr. Hage's case, the Forest Service confiscated some of his cows because he repeatedly defied the agency's orders to stop grazing on public land that federal range experts considered "trampled, compacted, gullied."

For damage from regulators and elk, Mr. Hage seeks compensation of at least \$28.4 million.

#### MOUNTAINS OF CONCERNS

Then there is the case of the Summitville Mine in south-central Colorado. Mining practices there have created a heap of cyanide-laced mine wastes; the Superfund cleanup is expected to cost taxpayers at least \$120 million. The Canadian company that operated the mine for its owners has declared bankruptcy and left the country.

Now, the mine owners, Aztec Minerals Corp., Gray Eagle Mining Corp. and South Mountain Minerals Corp., have sued Colorado's governor and main environmental agencies. Their claim: Because regulators did as the companies wished and permitted mining that earned them substantial profits

but polluted their property, their land has been devalued by regulatory action—a taking under the Colorado constitution. The mine owners also say their property values have been hurt because regulators' emergency cleanup of Summitville, undertaken to prevent further poisoning of their land, has closed down mining, possibly for good.

"Let me get this straight: It's a taking when you're allowed to mine, and a taking when you're prevented from mining?" scoffs Roger Flynn, an environmental attorney with the Western Mining Action Project.

Just so, says Tim Gablehouse, the mine owners' attorney: "Government action and inaction have damaged the value of private property, and we have a constitutional right to compensation."

#### INTANGIBLE COSTS

Colorado is one of many states considering local takings legislation modeled on the new congressional proposals, and indeed, it is at the state and local level, where planning commissions make numerous decisions on a daily basis, that such measures could really open the floodgates. For example, local governments often deny permission for landowners to subdivide lots or undertake high-density development, on the theory that approval would aggravate congestion or traffic. Yet such decisions often diminish land values by as much as one-third.

Jennifer Moulton, Denver's planning director, predicts that takings legislation pending in the Colorado state legislature would mean "a nightmare of dueling appraisers and dueling lawyers." The Colorado proposal says that any diminution of property values whatsoever requires compensation but leaves it to appraisers to determine how much. "Property owners will have their appraisers, and we'll have ours, and we'll all go around and around and around," Ms. Moulton says.

#### TEXAS NOTIONS

Other recent federal takings claims have featured coal companies alleging that they must be compensated because federal law requires them to pay money into a fund for miners stricken with black lung. And a company owned by Texas oil millionaire Clayton Williams has sued Wyoming wildlife agencies over limits and licensing requirements for hunting deer, elk and antelope. Mr. Williams' theory: He owns the wildlife on his 90,000-acre Wyoming hideaway, and state hunting restrictions are a taking of his private wildlife for which he must be compensated. Mr. Williams lost the first legal round in federal court, but he has appealed.

Not all the recent federal cases deal with environmental matters. International House of Pancakes Inc. has claimed that modifications to restaurants required by a 1990 handicap-access law are a taking for which it should be paid.

I-HOP made the claim in defense of a lawsuit brought by Theodore Pinnock, a San Diego attorney with cerebral palsy who sued after he allegedly couldn't get his wheelchair through a narrow restroom door and had to crawl into the men's room. Last summer, the U.S. Supreme Court refused to review a lower court decision against IHOP's takings claim. But many lawyers say IHOP probably would have prevailed under some of the new takings theories being pushed in Congress.

It is that kind of scenario that concerns people like Jerold S. Kayden, a Harvard University property-law scholar. In his view, the Republican takings bills would "vastly expand" the opportunities for claiming compensable takings—and would likely trigger a blizzard of such claims that will force a cash-

strapped government to choose between enforcing regulations in the public interest or paying huge sums to landowners.

More fundamentally, the new takings proposals mark a drastic departure from how courts and policy makers have historically interpreted the Fifth Amendment's taking clause. In general, courts have allowed the government significant latitude to make regulations impinging upon private property in the interest of protecting public health and safety, building highways, limiting growth and the like, particularly when the regulation didn't wipe out all economic value of the private land.

#### NARROW RULINGS

The Supreme Court twice in recent terms has taken up major takings claims; both times the court ruled narrowly in favor of landowners, strengthening private-property rights without fundamentally altering past property-law concepts. The court is currently hearing another potential landmark private-property case involving how far regulators can go to enforce the federal Endangered Species Act on private land.

Mr. Kayden also posits another question: If property owners are going to be paid by the public when a regulation decreases property values, he asks, why shouldn't they have to repay the public when regulatory action—flood control, for example—enhances property values?

Takings proponents, however, contend that the Republican bills aim merely to put common sense back in government's attitude about private property, and they have their own list of abuses that they believe shows the need for a radical change in the takings law. There is the case of a Washington man who was barred from cutting down a few trees on his land because a spotted-owl nest had been discovered some five miles away. There is the South Carolina developer whose \$1 million investment in residential property was totally wiped out by subsequent erosion-control rules, even though his lots were a football-field distance away from the beach. There are the various landowners who have been thrown in jail for dumping clean sand on slivers of their property that were classified as wetlands; in some cases, the "wetlands" had been dry for decades.

Backers also accuse their critics of fear-mongering when they suggest the bills invite landowners to raid the environment and the national treasury. Critics "have propounded the myth that private property and environmental protection are inconsistent," says Rep. Lamar Smith, a Texas Republican and a House leader on property rights.

The House takings proposal, for example, wouldn't apply to any activity that runs afoul of state nuisance laws; that, he and other supporters say, will prevent landowners from "getting paid not to pollute."

IN HONOR OF DR. J. HENRY ZANAZALARI, SUPERINTENDENT OF THE MIDDLESEX COUNTY VOCATIONAL AND TECHNICAL HIGH SCHOOLS AS HE RETIRES

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to Dr. J. Henry Zanazalari, Superintendent of the Middlesex County Vocational and Technical High Schools. Dr.

Zanazalari, who has dedicated 47 years to educating our youngsters, will be retiring at the end of this school year. I would like to take this opportunity to acknowledge his accomplishments.

Throughout his career, Dr. Zanazalari has been a county and statewide advocate of vocational training. For 24 years, he has served as superintendent of the Middlesex County Vocational and Technical High Schools. Under his leadership, the school district was recognized by the New Jersey Department of Education with the Commissioners Cup Award for 5 of the 7 years it was presented. This award is given to the New Jersey school district which placed the highest percentage of graduates in jobs in the field for which they were trained.

Dr. Zanazalari has also expanded the vocational school program in Middlesex County. He spearheaded the construction of the fifth vocational school in Piscataway, thus increasing the opportunity for hundreds of students on waiting lists. He is also responsible for the construction of additions to the East Brunswick, Piscataway, and Woodbridge campuses, which provided special education vocational training programs for the increased number of students with disabilities. In doing this, Dr. Zanazalari demonstrated that he recognizes that there will be more and more people with disabilities in the work force in the years to come.

Dr. Zanazalari has received many awards for his work in the field of education. Among them are the Rutgers University Distinguished Service Award, and the National Vocational and Technical Honor Society Honorary Member Award. He was also inducted in the Perth Amboy High School Hall of Fame, and was a member of Phi Beta Kappa and Epsilon Pi Tau and the Phi Delta Kappa Honor Society. He is a member of numerous educational associations, including the American Vocational Association, the New Jersey Association of School Administrators, and the New Jersey Council of Local Administrators and Supervisors of Practical Arts.

On Friday, April 7, Dr. Zanazalari will be honored at a retirement dinner at the Landmark Inn, in Woodbridge, NJ. Please join me in wishing Dr. Zanazalari a happy and healthy retirement. He has set a great example for future generations. I am proud to have him as a constituent.

CENTRAL NEW YORK PEE WEES  
FIRST U.S. TEAM TO BE WORLD  
CHAMPIONS

### HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. WALSH. Mr. Speaker, last year I was as proud as I could be, or thought I could be, of some very special young athletes in my home district, the Syracuse Stars Pee Wee Hockey Team. They had won the U.S.A. Nationals and all of our hometown was awash in publicity and congratulations.

Today, I am eager to report that the same team has once again prevailed. They are now

the holders of the World Cup of Pee Wee Hockey, having won on February 19 this year the 36th Annual Tournoi De Quebec in Quebec City. The tournament hosted 115 teams from 17 countries. The Stars defeated teams from Russia, Ukraine, Detroit, and Toronto on their way to becoming the first United States team to ever win the World Cup.

To put this tournament in perspective, more than 550 former or present NHL players have participated, including Wayne Gretzky, Brett Hull, and Mario Lemieux.

The players are: Daniel Bequer, goalie, of North Syracuse; Brain Balash, forward, of Auburn; Gary Baronick, forward, of North Syracuse; Drew Bucktooth, forward, of the Onondaga Indian Nation; Tim Connolly, forward, of Baldwinsville; Jeremy Downs, defense, of Syracuse; Joshua Downs, defense, of Syracuse; J.D. Forrest, defense, of Auburn; Todd Jackson, forward, of Cortland; Josh Jordan, forward, of Marathon; Tom LeRoux, forward, of Syracuse; Doug MacCormack, forward, of Cortland; Matt Magloine, defense, of North Syracuse; Freddy Meyer, defense, of New Hampshire; Anthony Pace, forward, of Cortland; Steve Pagan, defense, of Syracuse; Mike Saraceni, goalie, of North Syracuse; and Ricky Williams, forward, of McGraw. Head Coach Don Kirnan was assisted by coaches Mike Connolly and John Jackson and manager Chris Kirnan.

Freddy Meyer won the Tournament MVP trophy and Drew Bucktooth won the Grand Finale Game MVP. Tim Connolly was top scorer of the tournament and along with Anthony Pace was named a single-game MVP. Dan Bequer gave up only two goals in the last three games, which proved for some exciting hockey, especially in the Stars' 4-0 final game win over Czechoslovakia.

I ask that my colleagues join me in congratulating these young athletes for their performance, and for bringing home to the United States our first World Cup of Pee Wee Hockey.

### THE CONTACT LENS PRESCRIPTION RELEASE ACT OF 1995

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. STARK. Mr. Speaker, in the final days of the last session of Congress, I introduced legislation to strengthen the ability of consumers to purchase contact lenses at lower prices, without compromising the quality of the products or services received. It was my hope that interested consumers, providers, and regulators would review and provide comment on the bill prior to reintroduction of the bill in the 104th Congress.

Over the past several months, I have received comments from constituents, consumers, providers and various other interested parties. The overwhelming message is that a Federal law requiring prescribers to release contact lens prescriptions will benefit consumers across America.

Today I am introducing "The Contact Lens Prescription Release Act of 1995." This legis-

lation will require the Federal Trade Commission [FTC] to issue regulations mandating the release of contact lens prescriptions after the initial fitting process has been completed.

While some who provided comments favor mandating the immediate release of prescriptions, and others favor no requirements at all, the balance struck in this legislation ensures that consumers will have enhanced bargaining power when purchasing replacement contact lens without putting the quality of patient care in jeopardy.

Today, more than a dozen States require some form of contact lens prescription release. This experimentation by the States has allowed us to monitor whether unintended consequences have occurred—such as a reduction in the quality of patient care—as a result of mandatory release. To date, I have not seen reports that the quality of patient care has suffered as a result of requiring prescription release after the initial fitting process is complete.

While this legislation provides a minimum standard regarding prescription release, it is likely that some States will experiment with additional ways, such as immediate release of prescriptions, to advance the ability of consumers to purchase high quality contact lens products at the most competitive prices. This legislation allows States to continue to undertake such efforts. We in Congress would serve our constituents well if we continue to monitor these State efforts and follow-up with additional Congressional action if appropriate.

I'd like to take a moment to provide some background to "The Contact Lens Prescription Release Act of 1995."

In 1989, the Federal Trade Commission [FTC] restated their requirement that eyeglass lens prescriptions be released by ophthalmologists and optometrists. In the FTC's ruling on eyeglasses, their comments explaining why they did not require the release of contact lens prescriptions is instructive for why this legislation is necessary today. The Commission found the following:

While the record suggests that it is not uncommon for practitioners to refuse to give patients copies of their contact lens prescriptions, and that resulting costs to consumers could be significant, *we do not believe that the record contains sufficient reliable evidence to permit a conclusion that the practice is prevalent.* [Emphasis added, Federal Register, Vol. 54, No. 47, Monday, March 13, 1989.]

One of the benefits and responsibilities of representing the 13th District of California is having constant contact with constituents. Over the past few years, I have had the opportunity to gather "sufficient reliable evidence" that nonrelease of contact lens prescriptions does result in higher costs for consumers and that this practice is sufficiently "prevalent" to warrant legislative action.

This legislation, Mr. Speaker, is rather simple—to allow greater competition in the marketplace. It achieves this goal by calling upon the Federal Trade Commission to issue a regulation requiring the release of contact lens prescriptions after the initial fitting process is complete. While there is strong sentiment in this body to forgo calling for any additional Government regulations, it would be shortsighted to turn aside this legislation for that reason. In enacting this legislation, this bill



would eliminate dozens of State regulations that, however well-intentioned and well-suited to the technology and market conditions at the time, have come to block consumer choice today.

Mr. Speaker, I urge my colleagues to support this legislation. A copy of the legislation follows.

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Contact Lens Prescription Release Act of 1995".

#### SEC. 2. PRESCRIPTIONS FOR CONTACT LENSES.

(a) IN GENERAL.—The Federal Trade Commission shall amend its trade regulation rule on ophthalmic practice published at 16 C.F.R. 456 to require the prescriber to offer to release a copy of the prescriber's prescription for contact lenses—

(1) after the contact lens fitting process is completed, or

(2) in the case of a renewal of a prescription, immediately if there is no change in the prescription's specifications,

regardless of whether or not the patient requests a copy of the prescription. Such a prescription shall expire 2 years from the date of its issue unless the prescriber otherwise specifies based upon the medical judgment of the provider.

(b) DEFINITIONS.—For purposes of subsection (a):

(1) The term "prescription" means the specifications necessary to obtain contact lenses and includes data on the refractive status of patient's eyes and clearly notes that the patient is suitable for contact lenses.

(2) The term "prescriber" means an ophthalmologist or optometrist who performs eye examinations under a license issued by a State.

(3) The term "contact lens fitting process is completed" means the process which—

(A) begins after the initial eye examination and includes an examination to determine what the lens specifications should be, the purchase of lenses, and an initial evaluation of the fit of the lens on the patient's eyes and follow-up examinations, and

(B) is completed when the prescriber is satisfied that a successful fit has been achieved.

#### SEC. 3. EFFECT ON STATE LAW.

The prescription release requirement of section 2 does not affect any State law which permits the release of prescriptions for contact lenses on terms which are not more restrictive than the terms of section 2 or regulates who is to be legally permitted to fit contact lenses.

#### THE CAREER PREPARATION EDUCATION REFORM ACT

**HON. WILLIAM (BILL) CLAY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. CLAY. Mr. Speaker, I rise today to introduce the administration's Career Preparation Education Reform Act.

The administration's legislation ensures that: First, funds for in-school youth are administered at the local level by schools; second, the governance structure for education which is

determined by State law is respected; and, third, more funds are driven by a needs-based formula to local education agencies than in the current law.

I want to strongly emphasize that, as under the current Perkins Act, any State that receives a grant must designate an education agency or agencies to be responsible for administration. In addition, the State plan must be submitted by the State education agency. This requirement will ensure that funds are used to improve career education in our schools and help schools participate in the development of effective school-to-work opportunity systems to prepare students for college and careers.

I also want to emphasize that this bill ensures that funds will be distributed to local education agencies and postsecondary institutions based on need and directs more funds to local schools than before. It is critically important that we make sure that funds get down to those local schools and communities where the need is greatest.

One of my major concerns over the years has been to ensure that students who are members of special populations benefit from Federal education investments. The intent of this legislation is to focus on achievement for special populations and to ensure that they have the chance to participate in quality programs. The legislation requires that the State describe in its plan how it will serve special populations, and uses a substate allocation formula that drives funds to the neediest schools and communities. States must gather and disseminate data on the effectiveness of services and activities in meeting the needs of women and special populations. They must review applications and grants to ensure that the needs of women, minorities, and other special populations are addressed. They must work to eliminate bias and stereotyping in education, and recommend best practices for serving members of special populations and for training for nontraditional jobs. States must set performance goals for students and provide reports on their progress in achieving their goals, including information on the progress of students who are members of special populations.

I am committed to ensuring that students who are members of special populations receive quality services and the assistance they need to achieve the necessary skills to be successful. We intend to scrutinize this issue as legislation moves through the committee process to ensure that every effort is made to meet the needs of educationally disadvantaged young women and men.

Let me highlight some other key features:

First, the bill will encourage States to use their vocational education, elementary and secondary education, and second-chance program funds to develop comprehensive, quality school-to-work and education systems.

Second, it proposes a State grant and a national program authority, and it will increase the amount of the formula-driven State grant distributed to schools and colleges.

Third, it proposes that vocational education support the development of the in-school part of school-to-work opportunity systems.

Nonetheless, as I introduce this legislation, there are several areas where I continue to

have concerns, and I look forward to working with our colleagues on many of these provisions as this bill proceeds through the legislative process. Among these concerns are:

The Perkins legislation should build more on the vocational system in place and improve upon those systems.

Section 101 and 103—I want to work with our colleagues to strengthen these sections and write them so that the Federal investment is more focused and States and locals are held accountable for implementing the priorities.

Section 104—I would like to see standards and limitations in the section permitting States and local education agencies to combine funds for any purpose in order to carry out services and activities.

Section 113—I have another concern with regard to the option for States to develop alternative formulas to distribute funds to local education agencies.

#### OPPOSING THE REPUBLICAN TAX PLAN

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mrs. MALONEY. Mr. Speaker, I rise to explain my opposition to the tax and spending cut plan offered by the Republican leadership.

There are several individual tax cuts in this bill that I support. Unfortunately, all tax cuts were lumped into one bill and could not be voted on separately, due to the procedural rule under which the bill was debated.

Therefore, Members were compelled to vote "yea" or "nay" on the entire plan. In the final analysis, the plan as whole was fiscally irresponsible, extremely damaging to New York City, and not in the long-term best interest of our children and grandchildren.

Over the next 5 years, this bill will cost more \$189 billion dollars, and over 10 years—because of the corporate tax giveaways tucked into the legislation—that cost will rise to as much as \$600 billion.

The bill provides only the most illusory plan of how to pay for these tax breaks in the first 5 years. The specifics that the new leadership has provided are devastating to urban areas in general and to New York City in particular.

Further, the plan offers no provision whatsoever to deal with budget-busting corporate tax breaks in the second 5 years, when the deficit is projected to skyrocket specifically because of those tax breaks.

The plan will eliminate the corporate minimum tax and change the rules on depreciation, significantly boosting the deficit beginning in the year 2001.

For example, the depreciation changes will actually increase revenues slightly between 1996 and 2000, but cause a revenue loss of more than \$120 billion between the years 2001 and 2005.

Only a small fraction of the tax breaks embodied in the bill—like indexing capital gains for inflation, which I support—will sufficiently stimulate the economy to begin to pay for themselves.

This year, interest on our national debt totals \$235 billion. It is the third largest portion of the Federal budget. By 1997, it will overtake defense spending as the second largest portion of the Federal budget, second only to Social Security.

Why? Largely because in 1981, the Reagan administration sought to provide tax cuts and increased defense spending before deficit reduction. And Congress went along with it. The result was an explosion in our annual budget deficit from \$40 billion in 1981 to nearly \$300 billion in 1992; and an increase in the national debt from approximately \$1 to \$4 trillion.

With the exception of tax cuts which truly pay for themselves, tax cuts should be our reward after we cut the deficit. But until we get our fiscal house in order, it is irresponsible to engage in a frenzy of tax cuts that are not credibly paid for.

We have made great progress in deficit reduction since President Clinton took office. We have reduced the deficit for 3 consecutive years, thanks to the budget package that I voted for in 1993. In so doing, we are reducing the cruelest tax of all on our children. Now is precisely the wrong time to take a U-turn on our road to successful deficit reduction.

That being said, there are several individual tax cuts in the package which I think are important and I might well have supported were they stand-alone bills that were responsibly paid for. It is likely that the Senate will overhaul this plan, restoring fiscal sanity to it before it comes back to the House for a final vote. If so, I will strongly consider voting for a bill or bills which include various forms of tax relief.

I have always supported expanding IRA contributions, so that all Americans will be encouraged to save. I also support allowing families to use their IRA—without penalty—for purchasing their home, in the event of illness or to help pay for the education of a spouse, child, or grandchild.

Since I came to Congress in 1993, I have been an advocate of reducing the marriage penalty, which charges couples more taxes than if they were two unmarried people filing independently. I have worked closely with my good friend, Congressman JIM MORAN, and have cosponsored legislation that would completely eliminate this problem.

In 1993, I was one of the staunchest opponents of the provisions in the Omnibus Budget Reconciliation Act to raise the amount of Social Security benefits that could be taxed on recipients earning more than \$25,000 a year or couples earning more than \$32,000 a year. I was very proud to play a role in changing those thresholds, thus sparing thousands of middle-class recipients around the country from a tax increase. And I continue to support rolling back the increased benefits tax on those recipients earning more than \$34,000 or couples earning \$44,000.

Coupled with that change, I believe that we should also increase the amount that Social Security recipients can earn without losing their benefits. I think that raising that ceiling from \$11,000 to \$30,000 over the next 5 years is a good idea.

I emphatically support a meaningful capital gains tax reduction. I strongly believe that such a cut would provide a major boost to

economic investment in the country and would be beneficial to individuals of all income levels.

Both individuals and corporations hold on to assets that have appreciated because they are unwilling to pay the Government almost 40 percent of the profits from their investment. This means that money that could be used for new investment or reinvestment remains locked into these assets and thus unavailable for the kinds of purposes that would help boost economic growth across the country.

But as much as I support these particular items, I could not, in good conscience, vote for a tax cut bill that will explode the deficit and result in massive tax increases to our children and grandchildren.

What few specific cuts that the new congressional leadership has specified to partially pay for these tax breaks will have a drastic, negative impact on New York City's economy.

Overall, the Republicans intend to squeeze \$62 billion from their welfare reform bill to pay for a portion of their tax cuts. In my opinion, that bill—which among many other things, cuts school lunches and takes away protection for children in foster care—is an unmitigated disaster.

I voted for a Democratic welfare reform bill that offered welfare recipients the tools of economic empowerment—training, education, child care—to help them get back to work and take charge of their lives. The bill demanded work, responsibility, and child support. That Democratic substitute could be described as "tough love." The Republican bill just told defenseless children, "tough luck."

It won't fix what is wrong with the welfare system. It won't empower people to go to work. It will only put families with children out on the street, which will increase homelessness and desperation in New York City and damage quality of life for all of its residents.

The cuts from the GOP welfare plan will take more than \$6 billion in Federal aid from the city and will cost tens of thousands of children—including many in my district—their basic nutritional benefits.

I recently issued a study on the welfare plan, which was reported in the New York Times, that stated the following:

Through cuts to Aid to Families with Dependent Children:

New York City will lose \$1.3 billion because title I freezes Federal funding at fiscal year 1994 levels over the next 5 years. That will result in over 280,000 New York City children losing their AFDC benefits through the planned Republican family-cap and time-limit provisions.

New York City will lose \$62 million in child care assistance because of the proposal's funding level cuts for fiscal year 1996 to 2000, resulting in 10,504 New York City children losing child care.

New York City will lose \$200 million in funding for child nutrition provisions, including the school lunch and school breakfast programs, meaning that 60,000 New York City children will be dropped from the school lunch program because projected funding levels under the welfare plan won't be able to keep up with annual 3.5 percent inflation and annual 3-percent increases in school enrollments by fiscal year 2000.

Of the 641,000 New York City children enrolled in the school lunch program, 522,000 of these children, the children who receive free lunches, may be forced to begin paying for lunch, with money they simply do not have.

Of the 170,000 New York City children enrolled in the school breakfast program, 154,000 of these children, the children who receive free breakfasts, may be forced to begin paying for breakfast, with money that they simply do not have.

New York City will lose over \$35 million in funding for family-based nutrition provisions.

The 316,000 children who participate daily in the Summer Food Program will see their food budgets cut by 50 percent as the result of massive cuts under the House-passed provisions.

The 85,000 children who participate daily in day care food programs will also see their food funding drop by 50 percent.

New York City would lose \$1.75 billion in food stamp assistance through the Republican funding level cuts over 5 years.

One million four-hundred thousand New York City food stamp recipients would see their food stamps allotment decrease beginning in fiscal 1996; 640,000 of these recipients are children. By the year 2000, food stamp authorizations will decrease by at least 30 percent compared to current projected levels of need.

New York City would lose over \$760 million in SSI benefits over 5 years under the welfare plan which means that 22,500 blind and disabled children in New York City alone would lose all benefits over 5 years, including AFDC and JOBS work training.

This litany describes just one-third of how the Republicans plan to pay for this tax plan. To make matters worse, the lion's share of the cuts—\$100 billion—are coming through broad reductions in spending caps.

Although the individual, specific cuts are to be made later, the Budget Committee has offered some suggestions concerning what programs to cut in order to meet these new spending cap reductions. These so-called suggestions add to the damage done to New York City by the Republican welfare bill.

The chairman of the Budget Committee proposes slashing mass transit, which all New Yorkers need to get from one place to another. The suggested cut will take almost \$1.5 billion out of New York City over the next 5 years.

The Republicans suggest eliminating LIHEAP, which provides heat in wintertime to low-income senior citizens and low-income families who are among our most vulnerable citizens. This ill-advised proposal will take close to \$520 million out of New York City over the next 5 years.

They suggest cutting medical research by the National Institutes of Health, which will take more than \$153.6 million out of New York City's research institutions like Rockefeller University, Sloan Kettering and NYU.

The Budget Committee's scheme to eliminate the National Endowments for the Arts and Humanities will not only result in a nation that is culturally poorer and spiritually malnourished, but will result in New York City losing a total of \$259.1 million in grants over the next 5 years.



This is just a sample of what Republicans are suggesting that Congress cut in order to pay for this tax cut plan. And when all of these harsh cuts are made, this country will still be saddled with a growing deficit that the new House leadership does not even make a pretense of addressing.

And, this bill contains one final indignity for New York City. Tens of thousands of families, including more than 6,000 in my district alone, will have to pay for a \$10 billion tax increase through changes to the retirement system that will more than triple the cost to Federal workers.

Mr. Speaker, as I said earlier, none of these spending cuts will go to deficit reduction. While it is widely recognized by both political parties that the deficit is the cruelest tax of all, the Republican plan provides absolutely no tax relief from it.

We must not repeat the irresponsible tax cuts of the 1980's, which have been so disastrous for our economy. And I believe that yesterday's vote will result in greater deficit increases.

I have little faith that having now passed some harsh cuts to pay for the popular part of the Contract With America, the Republican majority will not have the stomach or incentive to vote for even more unpopular cuts to Federal programs to further reduce the deficit.

Reinforcing my concerns about repeating the mistakes of the 1980's is the fact that the Republicans have pledged to increase defense spending again.

In all, Mr. Speaker, April 5 was a lost opportunity.

A lost opportunity for those of us who wanted to vote for tax cuts that would be both prudent and beneficial to the economy.

And, most importantly, a lost opportunity to help future generations of Americans who will pay for this tax folly. Ultimately, it is our children and grandchildren who will suffer the ill effects of the 104th Congress excesses here yesterday night.

#### JUST A PIECE OF PAPER

### HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. KINGSTON. Mr. Speaker, on April 3, 1895, one of the great cities of Georgia's First Congressional District and indeed America was born. The following article, written by Mrs. Lois Barefoot Mays talks about this event and the celebration of the Folkston, GA, U.S.A. centennial parade last Saturday on April 1.

[From the Charlton County (GA) Herald, Mar. 1, 1995]

#### JUST A PIECE OF PAPER

(By Lois Barefoot Mays)

To see me from afar, you would think I was just an ordinary piece of paper. But I'm very special. Why, I'm one hundred years old and still going strong. I am the charter for Folkston, Georgia, United States of America, North American Continent, God's little blue planet Earth, the Universe.

On April 1st, 1995, my little town will be the center of the universe. There will be a joyous homecoming of people who once lived

within my borders and who will return for my one hundredth birthday. They'll celebrate together with the residents by dancing, eating tasty food, enjoying a patriotic parade and especially by greeting friends they haven't seen for a while.

There'll be lots of smiles, hugs and handshakes. They'll speak of friends that have died and maybe even take time for a thoughtful walk through the well-kept cemetery.

Perhaps they'll recall leaders of the Folkston community who made lasting impressions on their lives. People like Dr. McCoy, Mrs. Belle Roddenberry, L.E. Stokes, Miss Mayme and John Harris, William Mizell, Mary Stokes Davis, Scott and Ralph Johnson, Tom Gowen, John Southwell and others. And they will have good stories to tell about those leaders, stories worth remembering, that can be used in Sunday School rooms later when they study what integrity means.

I won't be able to hear all that's going on because I will be resting in a file somewhere, but my spirit is alive and well in this southeastern Georgia bit of heaven.

I was really born as the Town of Folkston in April, 1895, but before that date the Village of Folkston was here. As the cry of a new-born baby signals a brand new life, the wall of a steam engine on the newly-laid rails of the S.F. & W. Railroad brought folks together and when stores and homes were built near the covered platform called "The Station", the Village of Folkston was born. That first loud train, scaring people and animals alike, thundered through what is now Folkston on March 30, 1881. Why, that's the same year President James A. Garfield began his term of office and the year the painter Pablo Picasso was born!

Fourteen years later the village had a splendid depot, large Masonic Lodge, at least six stores, two hotels, cotton gins, grist mill and homes for the nearby families. It was no longer called "The Station" but had been named for Dr. W.B. Folks of Waycross and called at first, "Folkstown" and quickly shortened to "Folkston".

As the men of the village, always eager to argue the merits of their favorite horse, leaned on the fence of the Roddenberry Hotel livery stable in the spring of 1895 and discussed events of the times, the main topic must have been local government and how to have some control over clearly illegal situations. They needed strict rules that would make it unlawful for anyone to indulge in card playing or dancing on the Sabbath; rules that made it against the law to fasten horses or mules to shadetrees or buildings in such a way that folks couldn't walk on the sidewalk or get in the door of a store. And they needed men elected by the majority of the other men of the village to be the ones to enforce these rules.

So, on the 26 day of March, 1895 a referendum was held, seeking the will of the people. A decision was to be made: did they really want a charter with printed laws with which to abide, or did they want to continue as just a group of families brought together by the common bond of living close to the railroad tracks.

Results of the election were probably predicted beforehand. Thirty-two men voted on that day and those thirty-two men voted a resounding unanimous "YES, we want to be a real TOWN of Folkston." Three of the community's leaders, J.S. Mizell, H.S. Mattox and H.A. Renfro were election superintendents that important day and immediately a short petition was drawn up, which twenty-three

men signed, asking the Charlton Superior Court for permission to incorporate.

Eight days later, on April 3rd, 1895, probably as the first order of business of Superior Court Judge, J.W. Sweat at the April term of court of Traders Hill. I was born. The order creating me as the Town of Folkston was scratched with quill pen and ink on this yellowed sheet of ruled paper and signed by Judge Sweat.

So that's who I am—just a folded paper document—an object that means home and life-long friends to those who once lived within my borders . . . but to those fortunate ones who enjoy the privilege of strolling my sidewalks, or talking daily with friends made fifty years or more ago, or the unexcelled pleasure of standing on the depot porch hearing and watching a mile-long train roar through Love, Main and Martin Streets all at once. I'm a sacred piece of paper. . . I'm the best!

In fact, right now I'm the center of the universe!

#### DR. L.D. BRITT, 1995 RECIPIENT OF THE GREAT AMERICAN TRADITIONS AWARD

### HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. SCOTT. Mr. Speaker, on behalf of the B'nai B'rith Foundation of the United States, I am pleased to announce that Dr. L.D. Britt is a 1995 recipient of the Great American Traditions Award.

Dr. Britt, a renown surgeon and educator, serves as professor, chairman of general surgery, and chief of trauma and critical care at Eastern Virginia Medical School. He is also medical director for the Shock Trauma Center at Sentara Norfolk General Hospital, is a general surgeon in the Norfolk and Suffolk Virginia area and serves on the boards of Norfolk State University and the University of Virginia.

He received a B.A. from the University of Virginia, a M.P.H. from the Harvard School of Public Health and a M.D. from the Harvard Medical School.

But as great as they are, Dr. Britt's professional accomplishments are not the reason he was chosen for this award. What distinguishes Dr. Britt from other accomplished men and women is his tireless service to the Tidewater Virginia community.

He has given freely of his time, talents, and resources to others. From church, to Boy Scouts, to cultural institutions, Dr. Britt has worked to bring all elements of the Tidewater community together regardless of race, ethnicity, or religion. It is in that tradition that the proceeds from his award dinner will go to the Dr. L.D. Britt Young Leaders Scholarship Fund.

Dr. Britt finds the time to give so freely of himself to others because he believes that we should reach out to those around us. It is for this spirit of giving to others that Dr. L.D. Britt is presented with the Great American Traditions Award.

THE OSHA CONSULTATION  
AUTHORIZATION ACT OF 1995

**HON. JAMES A. HAYES**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. HAYES. Mr. Speaker, the Occupational Safety and Health Administration's [OSHA] Consultation Services [OSHCON] currently derive their authority from a shaky regulatory framework. OSHCON programs compete for very limited dollars with other OSHA education and training compliance assistance programs. Therefore, in an effort to enhance the Federal Government's responsiveness to the business community and to provide more effective solutions to the problems impacting safety and health in the workplace, I, along with my colleague Congressman CASS BALLENGER, am introducing the Occupational Safety and Health Administration Consultation Authorization Act of 1995.

Our bill would, simply put, statutorily codify the authority of the Department of Labor to establish the current scheme of cooperative agreements with States. There is overwhelming and widespread support for our language amongst representatives of both large industry and small business, officials from the Occupational Safety and Health Consultation Programs, and the Administration.

Businesses in Louisiana and throughout the country convey to me horror stories about the burdens that OSHA standards and paperwork requirements impose upon their fiscal stability without producing discernable corresponding benefits to safety and health. They would welcome initiatives that seek to distribute information on safety and health in a more timely and efficient manner. Businessmen realize that safe employment practices enable them to compete for and retain the most qualified employees.

State run consultation offices are overworked and understaffed. OSHA has consistently failed to allocate adequate resources to OSHCON programs. With the proposed fiscal year 1996 budget request, we are again faced with a budget recommendation heavily slanted toward enforcement rather than compliance assistance. We owe businesses and employees alike the opportunity to work in a safe environment. We can and should redirect our priorities toward productive and pro-active strategies, such as consultation assistance, and away from the reactive and cumbersome over-regulatory approaches of the past.

I welcome my colleagues to join Mr. BALLENGER and I in our fight to ensure the successful continuation of a health and safety program that works.

**BELEN JESUIT SCHOOL KEY CLUB**

**HON. LINCOLN DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. DIAZ-BALART. Mr. Speaker, I rise today to pay special tribute to the Belen Jesuit School Key Club and their continuing meritori-

**EXTENSIONS OF REMARKS**

ous service and assistance in providing relief to refugees from tyranny.

As my colleagues are aware, the massive Cuban exodus that occurred last summer has been just the latest sad chapter of a 36-year saga. The suffering faced by those brave rafters did not end when they were rescued from their rafts or when the television crews went home. Because of circumstances beyond their control, many are still suffering today from privations and indefinite detention.

From the onset of this latest crisis, the young men of the Belen Jesuit Key Club have been sacrificing and working to help alleviate the many hardships faced by these brave Cubans. Among other things, these selfless high school students have bottled water to be dropped to rafters while they were still at sea, collected donations for pillows, pencils, and paper for those in the camps, and traveled themselves to the camps to help distribute aid.

Most importantly Mr. Speaker, it should be noted that these young men continue to demonstrate time and time again their concern and humanity towards those who are suffering. They truly exemplify the Jesuit ideal and can be called "men for others". We as a country must be proud to have such men in our society. I for one am privileged that they reside in my community.

**METRO ARBITRATION RELIEF ACT**

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. WOLF. Mr. Speaker, today I am introducing legislation for myself and Mr. DAVIS of Virginia, to provide financial relief to the Washington Metropolitan Area Transit Authority [WMATA] and to the citizens of the Washington metropolitan area by allowing for more flexibility in resolving labor disputes. Under the interstate compact establishing Metro, WMATA must have a balanced budget and Metro cannot provide service unless there are funds to pay for it. These funds are becoming more and more pinched by rising labor costs that threaten the affordability of the Metro system for the ridership.

Labor costs at Metro are among the highest in the Nation in terms of operator salaries and benefits. For example, starting operator wages for bus drivers in New York City are \$12.35 per hour compared to \$13.76 in the District. The average annual wage for a Metrobus operator is currently \$45,683. This is higher than the average wage for teachers in our area and is more than a GS-12 starting salary for many professionals in the Government. With overtime, Metrobus operator salaries can approach \$60,000 to \$70,000 per year, the equivalent salary of a GS-14 or GS-15 or an assistant school principal.

In addition, Metro salaries and benefits are far higher than other transit operators in the region when compared with bus operators such as Montgomery County Ride-On or Fairfax Connector and Dash. The average annual wage for Ride-On, DASH, and Connector operators is \$27,148, \$25,459, and \$23,400 respectively. These high comparative costs have

made it very expensive for local governments to continue to contract with Metro bus service. As a result, local governments are increasingly choosing to provide their own service leaving Metro with fixed overhead costs to distribute among shrinking bus services.

This bill will allow arbitrators to take these local factors into consideration when evaluating wage scales. As a result, we will be simultaneously maintaining an affordable transit system, reducing the risk of massive job losses, and introducing more competition into area transit. This is a workable, practical and fair solution as we address the budget problems facing both the District and public transit in our area.

As fares increase, ridership dwindles and a downward spiral continues. Metro management has testified before the Transportation Appropriations Subcommittee that it is close to the point where higher rates will mean more Metro riders will return to their cars. For example, a single mother traveling from Vienna, VA, to downtown will spend approximately \$8.50 per day in parking and Metro fares—nearly \$200 per month. For a GS-7 earning some \$24,000, and netting perhaps \$1,600-\$1,700 per month, this cost amounts to one-eighth of take home pay.

Affordable public transportation is essential to the economic vitality of the Washington metropolitan area and to reviving the sagging economic fortunes of our Nation's Capital. Many low income and working individuals and families depend upon public transportation as their primary means of travel. However, use of mass transit is substantially affected by the fares charged for such mass transit services.

Currently more than two-thirds of the cost of the Metro system is attributable to labor costs. Metro labor costs have increased at an alarming rate and are among the highest in the Nation. Salaries for Metro have gotten out of line with many other occupations in the area and with local bus systems. When evaluating and balancing competing needs, there has to be more flexibility in this area. That is what this legislation will do. It will provide for more consideration to be given to the impact that wage increases have on the ability of transit patrons and taxpayers to fund the increases through subsidies or at the fare box. This act will adopt standards governing the arbitration process when resolving disputes involving Metro labor issues.

Over the past 5 years, Metro has reduced staff by more than 500 positions—almost 10 percent of the workforce. In the past year alone, it has cut over 250 positions, bringing the current personnel level to that in 1988, even though Metro has increased rail service by 64 percent since that time. But labor costs still are the major driver of increasing fares. If fares continue to increase, ridership will decline and other competitive systems will enter the system further driving down Metro ridership.

At a time when we are facing severe budget limitations, we must think more creatively about how transit agencies can manage scarce Federal dollars. We must also face budgetary realities before they reach the crisis point. The current labor costs put the future of the Metro system on a collision course with the Metro ridership public. Already we have



strongly competitive bus service in the area resulting in decreased bus ridership of Metro buses. When ridership goes down, jobs are lost and those in the areas with the least alternatives for transportation suffer the most. These areas usually serve the most economically disadvantaged neighborhoods.

The financial difficulties faced by the District of Columbia threaten the ability to make operating subsidy payments that could result in further bus service reductions or route terminations on a very broad scale. Metro bus service has already been reduced by \$5 million to meet current budget needs.

As Metro general manager Lawrence Reuter recently testified before the Transportation Appropriations Subcommittee on which I serve, Metro is working closely with Maryland, Virginia, the District of Columbia, and Members of Congress from this region to minimize the impacts of the District's financial crisis on Metro's ability to provide transit service throughout the region. As we work to find better solutions for the District of Columbia, providing more flexibility to Metro in labor disputes will assist in the bigger financial picture for the District.

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Capital Area Interest Arbitration Standards Act of 1995".

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) affordable public transportation is essential to the economic vitality of the national capital area and is an essential component of regional efforts to improve air quality to meet environmental requirements and to improve the health of both residents of and visitors to the national capital area as well as to preserve the beauty and dignity of the Nation's capital;

(2) use of mass transit by both residents of and visitors to the national capital area is substantially affected by the prices charged for such mass transit services, prices that are substantially affected by labor costs, since more than 75 percent of operating costs are attributable to labor costs;

(3) labor costs incurred in providing mass transit in the national capital area have increased at an alarming rate and wages and benefits of operators and mechanics currently are among the highest in the Nation;

(4) higher operating costs incurred for public transit in the national capital area cannot be offset by increasing costs to patrons, since this often discourages ridership and thus undermines the public interest in promoting the use of public transit;

(5) spiraling labor costs cannot be offset by the governmental entities that are responsible for subsidy payments for public transit services since local governments generally, and the District of Columbia government in particular, are operating under severe fiscal constraints;

(6) imposition of mandatory standards applicable to arbitrators resolving arbitration disputes involving interstate compact agencies operating in the national capital area will ensure that wage increases are justified and do not exceed the ability of transit patrons and taxpayers to fund the increase; and

(7) Federal legislation is necessary under Article I of section 8 of the United States Constitution to balance the need to mod-

erate and lower labor costs while maintaining industrial peace.

(b) PURPOSE.—It is therefore the purpose of this Act to adopt standards governing arbitration which must be applied by arbitrators resolving disputes involving interstate compact agencies operating in the national capital area in order to lower operating costs for public transportation in the Washington metropolitan area.

#### SEC. 3. DEFINITIONS.

As used in this Act—

(1) the term "arbitration" means—

(A) the arbitration of disputes, regarding the terms and conditions of employment, that is required under an interstate compact governing an interstate compact agency operating in the national capital area; and

(B) does not include the interpretation and application of rights arising from an existing collective bargaining agreement;

(2) the term "arbitrator" refers to either a single arbitrator, or a board of arbitrators, chosen under applicable procedures;

(3) an interstate compact agency's "funding ability" is the ability of the interstate compact agency, or of any governmental jurisdiction which provides subsidy payments or budgetary assistance to the interstate compact agency, to obtain the necessary financial resources to pay for wage and benefit increases for employees of the interstate compact agency;

(4) the term "interstate compact agency operating in the national capital area" means any interstate compact agency which provides public transit services;

(5) the term "interstate compact agency" means any agency established by an interstate compact to which the District of Columbia is a signatory; and

(6) the term "public welfare" includes, with respect to arbitration under an interstate compact—

(A) the financial ability of the individual jurisdictions participating in the compact to pay for the costs of providing public transit services; and

(B) the average per capita tax burden, during the term of the collective bargaining agreement to which the arbitration relates, of the residents of the Washington, D.C. metropolitan area, and the effect of an arbitration award rendered pursuant to such arbitration on the respective income or property tax rates of the jurisdictions which provide subsidy payments to the interstate compact agency established under the compact.

#### SEC. 4. STANDARDS FOR ARBITRATORS.

(a) FACTORS IN MAKING ARBITRARY AWARD.—An arbitrator rendering an arbitration award involving the employees of an interstate compact agency operating in the national capital area may not make a finding or a decision for inclusion in a collective bargaining agreement governing conditions of employment without considering the following factors:

(1) The existing terms and conditions of employment of the employees in the bargaining unit.

(2) All available financial resources of the interstate compact agency.

(3) The annual increase or decrease in consumer prices for goods and services as reflected in the most recent consumer price index for the Washington, D.C. metropolitan area, published by the Bureau of Labor Statistics of the United States Department of Labor.

(4) The wages, benefits, and terms and conditions of the employment of other employees who perform, in other jurisdictions in the Washington, D.C. standard metropolitan sta-

tistical area, services similar to those in the bargaining unit.

(5) The special nature of the work performed by the employees in the bargaining unit, including any hazards or the relative ease of employment, physical requirements, educational qualifications, job training and skills, shift assignments, and the demands placed upon the employees as compared to other employees of the interstate compact agency.

(6) The interests and welfare of the employees in the bargaining unit, including—

(A) the overall compensation presently received by the employees, having regard not only for wage rates but also for wages for time not worked, including vacations, holidays, and other excused absences;

(B) all benefits received by the employees, including previous bonuses, insurance, and pensions; and

(C) the continuity and stability of employment.

(7) The public welfare.

(b) COMPACT AGENCY'S FUNDING ABILITY.—An arbitrator rendering an arbitration award involving the employees of an interstate compact agency operating in the national capital area may not, with respect to a collective bargaining agreement governing conditions of employment, provide for salaries and other benefits that exceed the interstate compact agency's funding ability.

(c) REQUIREMENTS FOR FINAL AWARD.—In resolving a dispute submitted to arbitration involving the employees of an interstate compact agency operating in the national capital area, the arbitrator shall issue a written award that demonstrates that all the factors set forth in subsections (a) and (b) have been considered and applied. An award may grant an increase in pay rates or benefits (including insurance and pension benefits), or reduce hours of work, only if the arbitrator concludes that any costs to the agency do not adversely affect the public welfare. The arbitrator's conclusion regarding the public welfare must be supported by substantial evidence.

#### SEC. 5. PROCEDURES FOR ENFORCEMENT OF AWARDS.

(a) MODIFICATIONS AND FINALITY OF AWARD.—In the case of an arbitration award to which section 4 applies, the interstate compact agency and the employees in the bargaining unit, through their representative, may agree in writing upon any modifications to the award within 10 days after the award is received by the parties. After the end of that 10-day period, the award, with any such modifications, shall become binding upon the interstate compact agency, the employees in the bargaining unit, and the employees' representative.

(b) IMPLEMENTATION.—Each party to an award that becomes binding under subsection (a) shall take all actions necessary to implement the award.

(c) JUDICIAL REVIEW.—Within 60 days after an award becomes binding under subsection (a), the interstate compact agency or the exclusive representative of the employees concerned may file a civil action in a court which has jurisdiction over the interstate compact agency for review of the award. The court shall review the award on the record, and shall vacate the award or any part of the award, after notice and a hearing, if—

(1) the award is in violation of applicable law;

(2) the arbitrator exceeded the arbitrator's powers;

(3) the decision by the arbitrator is arbitrary or capricious;

(4) the arbitrator conducted the hearing contrary to the provisions of this Act or other statutes or rules that apply to the arbitration so as to substantially prejudice the rights of a party;

(5) there was partiality or misconduct by the arbitrator prejudicing the rights of a party;

(6) the award was procured by corruption, fraud, or bias on the part of the arbitrator; or

(7) the arbitrator did not comply with the provisions of section 4.

# HONORING THE CESAR CHAVEZ WRITING CONTEST AWARD WINNERS OF THE EAST SIDE UNION HIGH SCHOOL DISTRICT

## HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Ms. LOFGREN. Mr. Speaker, I rise today to recognize the remaining winners of the first annual Cesar Chavez writing contest held by the East Side Union High School District in San Jose, CA. I had the great privilege of attending the award ceremony honoring the student winners on March 31, 1995, and would like to continue sharing the essays and poems written by the student award winners with my colleagues.

On April 4, 1994, I began by sharing the essays and poems of the grand prize winners and three of the first place winners. Yesterday, I shared the five remaining first prize entries, and the first three of eight second place winning entries. Today, I will share the remaining five essays and poems of the second place winners.

The second prize winning essays and poems of Marie Aloy of Mount Pleasant High School, Mark Papellero of W.C. Overfelt High School, Raymond Ramirez of Piedmont Hills High School, Ester Martinez Estrada of Santa Teresa High School, and Anthonette Pena of Silver Creek High School follow:

### UNTITLED

(By Marie Aloy, Mount Pleasant High School)

It was all very irrelevant to me. I'm not a farmer. I didn't live during the Great Depression or the years following. I don't grow fruit or pick it for that matter, and I'm not even of Hispanic descent. The dates and strikes and marches are just another group of history facts that I am asked to know and memorize for one reason or another. So far my life and the life and accomplishments of Cesar Chavez have no relation or commonality to bind him to my memory . . . except for one thing.

Something that I value greatly, that earns my genuine respect and admiration, I found hidden in a comment made about the great and greatly known Cesar Chavez. Actually it was his nephew Rudy Chavez Medina who inadvertently helped me find my way to relate to Cesar Chavez. Rudy came and spoke to us a few days ago about his famous uncle and mentioned offhandedly that his uncle Cesar was never afraid to ask for help. He was not the type to put himself on a pedestal for everyone to worship. When a goal was achieved he didn't credit it to his magnificent leadership. He praised everyone involved, and hum-

bly made himself equal to every individual in the crowd. In a position of such great power I am amazed and in awe that this man could remain so wonderfully humble.

The "equality" of the man staggered me. He had opportunities, as all celebrated leaders do, to leap from poverty into a more comfortable life. But I'm sure he knew that that separation between his life and the lives of the farmers and laborers he inspired would lessen his effectiveness as a leader. So he sacrificed his own comfort for the welfare of the organization, for the thousands who needed his guidance.

They say he is comparable to Gandhi and took his passive resistance techniques from Martin Luther King, Jr. as well. He never put peoples' lives in danger. He wanted only a better world and envisioned achieving that new existence in a peaceful manner. No riots or destruction, only marches and calm demonstrations. Usually human nature turns people to the dark side of things. It is uplifting to learn about someone who wanted only to help and made sure that he didn't hurt anyone in the process.

No facts or figures, just feelings. That is what binds us together and that is what creates a bond in my mind and heart. I never really knew who he was, and the bits and pieces I had grasped had little to do with my life. Now I know who he was and what he did. I know that he was humble to the core and self-sacrificing in all that he did and a truly great man.

### THE LIVES OF WORKERS

(By Mark Papellero, W.C. Overfelt High School)

4:00 am  
Wake up! Time for work!  
Here's a piece of bread and tiny glass of powder milk.  
Now go or you'll be late!  
5:00 am  
Plow. Have to work hard.  
Plow. Need to support the family.  
Plow. Need to survive.  
Plow. Simple.  
6:00 am  
The sun rises.  
Plow. Plant. Need clean water.  
Plow. Plant. Pesticides in my lungs.  
Plow. Plant. Tired.  
7:00 am  
The sun grows warm.  
Plow. Plant. Lift. Need to rest.  
Plow. Plant. Lift. Pesticide grows strong.  
Plow. Plant. Lift. Sweat.  
8:00 am  
The sun is warmer.  
The grower comes.  
He demands. He orders. He pushes.  
He is mad. He gets his way.  
9:00 am  
The sun gets hot.  
Plow. Plant. Lift. Carry. The work is too much.  
Plow. Plant. Lift. Carry. I am the pesticide.  
Plow. Plant. Lift. Carry. The condition needs to change.  
Plow. Plant. Lift. Carry. Sweat and Ache.  
This treatment has to stop. We have to overcome.  
Plow. Plant. Lift. Carry. Six more hours left.

### CHAVEZ Y LA CAUSA

(By Raymond Ramirez, Piedmont Hills High School)

Just a man  
No more, No less  
Victim of intolerance  
Who just wanted the best

For his people

The workers of the field  
With words of compensation  
For the crops that they yield

La Causa or The Cause  
A movement without fear  
It was forged by its people  
And it streamed like a tear

They said it was impossible  
Pero si se puede hacer  
With hearts filled with determination  
Y amor para la mujer

He carried on for years  
Giving only of himself  
He did it all for love  
And cared nothing for wealth

His presents was mighty  
His movements was strong  
And although he is gone  
His glory lives on!

### A HERO TO THE MEXICAN COMMUNITY

(By Ester Martinez Estrada, Santa Teresa High School)

No words I can write can describe how Cesar Estrada Chavez dedicated his heart and soul to love and justice as we all know. He was a leader that influenced strongly on rights.

A man that went out there and suffered with others day and night.

Cesar Chavez supported nonviolent actions on their part. For he declared, "truest act of courage, the strongest act of manliness, is to sacrifice ourselves for others in a totally nonviolent struggle for justice," and this came from his heart.

Farmworkers gathered in his demonstrations and his strikes to unite the true Mexican pride.

A pride no Mexican individual can hide. They came together for the security of justice in peace.

They came together with strength to see their work environment rights be released.

They came together to rise out of the fields and stand up and never sit 'till they were treated with respect and good pay.

They came together to revise their situation and at least get minimum wage.

Cesar Chavez joined hands with his line of Mexican blood without fear.

Cesar Chavez led the Mexican community hoping their aim and dream was near.

For they all knew that they had to start today for the sake of the future's eye.

Together and always together they had to rise.

Together they all struggled and prayed. Together they knew justice would serve one day.

Cesar Chavez and his fellow farmworkers came out of nowhere and bewildered all on their way to their destination.

Without the help of Cesar Chavez, injustice would have gone on for generations.

Cesar died peacefully in his sleep and is now up in heaven.

He symbolized the brown pride and that strength of respectable love.

Now is the time Mexicans can stand proud and say, "My bond is Cesar Estrada Chavez and no one can ask why."

### CESAR CHAVEZ

(By Anthonette Peña, Silver Creek High School)

As a young boy, Cesar Estrada Chavez experienced the hardships of being the son of a migrant farm worker. As his family worked in the crops, they learned hoe to survive in the harsh conditions such as lack of shelter,



money, and even food. Racism was also an issue that affected his life. Although his family were third generation Americans, because his ancestors are Mexicans, he was classified as a second-class citizen.

After working with the Community Service Organization from 1952 until 1962, he then moved on to found the National Farm Worker's Association. Under the NFWA, he organized nationwide boycotts of grapes, wine, and lettuce in an attempt to pressure California growers to sign a contract which would increase the farm worker's pay and provide them with a minimum amount of safety. Cesar Chavez became a symbol of hope for the people.

In particular, youth can look up to Cesar Chavez as a role model because it is at this point in our lives that we want to take an active role in mending society's flaws and begin to stand up for what we believe in. However, many of us are unsure of the role we should play and how far we are willing to go to stand by our decisions. As children, we had the vision of making a difference and had dreams of leading a successful life. At this age, reality begins to take its toll and we realize that if we really want to make a difference and lead a successful life there are things which we must do to accomplish these goals. Like Cesar Chavez, we must be willing to put ourselves on the line and uphold our principles and defend our sense of morality.

Cesar Chavez was a man who was not only determined, but courageous as well. "The only way is to keep struggling," he says. "Fighting for social justice is one of the most profound ways in which a man can say yea to man's dignity, and that really means sacrifice. There is no way on this earth in which you can say yes to a man's dignity and know that you're going to be spared some sacrifice."

#### ON HOW THE REPUBLICAN CONTRACT WITH AMERICA HELPS AMERICA'S SENIORS

#### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. SMITH of New Jersey. Mr. Speaker, as we reach the end of the first 100 days of the session, it is fitting that the grand finale of the Contract With America honors our senior citizens by easing the burdens older Americans now face.

For instance, the comprehensive tax bill, which we approved by a substantial margin yesterday evening, includes a substantial reduction in the Social Security earnings test, which unfairly penalizes seniors for working to supplement their Social Security benefits.

If the November elections taught us anything it was that the American people want to see their fellow citizens begin to take more responsibility for their personal circumstances. Many seniors want to do just that, but have been hindered from doing so by the Social Security earnings test.

The earnings test was instituted during the Great Depression when the Federal Government wanted to encourage older Americans from remaining in the national work force and occupying much-needed jobs. Despite the fact that this provision is clearly obsolete, it continues to be an unfair penalty to industrious seniors.

Essentially, seniors who earn more than \$11,280 a year face a supplemental tax of 33 percent on that income. This is in addition to the 7.65-percent FICA withholding tax and a 15-percent Federal income tax, bringing a hard-working, low-income senior's tax burden up to nearly 56 percent.

How many times have we all heard from constituents who acknowledge that they cannot survive on the meager Social Security benefits they are due? We cannot earnestly encourage these people to work to supplement these benefits while simultaneously taxing them at a highly unfair rate.

Furthermore, the earnings test deprives the American workplace of the talents and knowledge of our most experienced laborers.

The Contract With America, through H.R. 1215, increases the threshold at which the earnings test kicks in to \$30,000 in annual income over a 5-year period.

While this does not represent perfect resolution on this issue, it is a step toward equity in the work force. In fact, I would encourage my colleagues to continue to work toward a full repeal of the earnings test, such as that represented by Representative HOWARD COBLE's H.R. 201, of which I am a cosponsor.

In addition, the tax relief bill includes a full repeal of the 1993 Clinton tax increase on Social Security benefits over a 5-year transitional period. In the mid-eighties, Congress instituted a tax on 50 percent of the Social Security benefits received by seniors earning \$25,000 as individuals or \$32,000 as couples.

Many of you voted against this tax—as I did—recognizing it as a double taxation on seniors who had taken the initiative to plan and save for their retirement. However, instead of repealing this unfair and counterproductive tax, President Clinton pushed through Congress in the first months of his administration—and over the vote of every House and Senate Republican, I might add—an increase in this tax.

The Clinton tax package allowed 85 percent of the Social Security benefits received by seniors making only \$34,000 per year to be counted as taxable income. This runs entirely contrary to the pact between the Federal Government and seniors which the Social Security program is supposed to represent.

Seniors involuntarily turned over portions of their hard-earned paychecks to the Federal Government as a safety net for their retirement. They should not be taxed on this meager nest egg when they most need it and when many of them are living on fixed incomes.

I immediately introduced legislation to repeal the Clinton Social Security tax, but it was unfortunately stonewalled. I am very pleased that the Republican Contract With America includes a full repeal of President Clinton's unfair tax and that we have had the opportunity to relieve seniors of this burden.

The tax cut bill also makes great strides toward improving the provision of long-term care for seniors. Specifically, the bill provides a \$500 nonrefundable eldercare tax credit to families caring for a dependent senior in their home.

Currently, 12.5 percent of our Nation's population is aged 65 and older. By the year 2030, when baby boomers peak in their gold-

en years, fully one-fifth of our population will be in this age bracket. Already, American families nationwide have been faced with the difficult decision of how to best care for an aging parent or relative within their financial means. As society ages, more and more families will face this dilemma.

Many aging adults, particularly those suffering from Alzheimer's and other dementia, cannot lead a quality life without assistance and constant care. Often the full-time attention and individualized care these men and women require can only be found in a nursing home facility or in the privacy of their family home.

Providing the care at home can be costly and time consuming. However, this sort of personalized care is preferable to many families, especially since it affords a terrific opportunity to solidify the family unit. Children can learn so much from the knowledge and experiences of their grandparents. And having a loving family around does a world of good for an ailing senior.

Last year, the Alzheimer's Association reported that more than one-half of all working Americans have either provided long-term care for their friends or relatives or believe that it is likely in the near future. The Contract With America's eldercare tax credit will go a long way to help these well-intentioned people meet the needs of their loved ones.

The tax cut bill includes other improvements in the long-term care market as well to make it easier for seniors and their families to purchase long-term care insurance. In 1990, seniors aged 65 and older faced a 43 percent lifetime risk of requiring nursing home care. By 1992, the cost of such care was approximately \$30,000 per year.

Too frequently, seniors are caught between a rock and a hard place as they get older and need this more constant medical attention. Private long-term care insurance as it currently exists is often too costly to be comfortably within reach and Medicaid assistance is only available if they spend down their savings.

This measure provides seniors and their families with the financial incentives they need to save for quality long-term care. For instance, it: First, gives long-term care insurance the same preferable tax treatment as accident and health insurance, second, excludes up to \$200 per day in long-term care benefits from taxable income, third, excludes employer provided long-term care coverage from taxable income, fourth, allows long-term care expenses to be treated equal to medical expenses as an itemized tax deduction, fifth, excludes withdrawals from IRA's and other pension plans for the purchase of long-term care insurance from tax penalties, and sixth, allows the accelerated payment of death benefits from life insurance for the terminally or chronically ill to be paid tax-free.

These are commonsense approaches to a problem faced by more and more families every day and they are long overdue.

Finally, the tax relief bill increases the current estate and gift tax exemption over a 3-year period of time from \$600,000 to \$750,000. Through this modest change, seniors will be able to pass along their family business or family farm to their children and grandchildren without passing along an unmanageable tax burden as well.

In addition to these pro-senior provisions in the tax cut bill, the House overwhelmingly passed H.R. 660—which I am cosponsoring—to ensure that seniors will not be unfairly discriminated against for living in senior housing communities. These communities allow seniors to live amongst their peers and often provide access to services of particular need to seniors—such as periodic blood pressure screenings by local medical personnel.

Despite their increasing popularity amongst the senior population, vague language in the Fair Housing Act has left these communities vulnerable to litigation claiming that they discriminate against younger families. Furthermore, proposed HUD interpretations of this language have placed an insurmountable financial burden on these communities, requiring extravagant services and facilities to qualify for Fair Housing Act exemptions.

The language of H.R. 600 clarifies the definition of an "adult-only" housing community as a residential area consisting of a population of at least 80 percent seniors aged 55 and older. With this clarification, seniors will be able to form neighborhoods which conform to the unique needs of their retirement years without fear of unfair litigation or retribution.

I am proud to have supported each of these measures over my tenure in Congress and to have cosponsored them as part of the Contract With America as well. It is a credit to these past 100 days that we have soundly approved these proposals as the crowning achievement of the contract. America's seniors deserve no less.

#### THE 20TH ANNIVERSARY OF THE CLASP CHILDREN'S CENTER

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. ACKERMAN. Mr. Speaker, I rise today to join with my constituents and residents of the Great Neck community in honoring the CLASP Children's Center as they celebrate this organization's 20th anniversary.

In 1975, with the support of a local chapter of the National Council of Jewish Women, CLASP was founded by a group of working parents. Over the years, CLASP has grown in size and developed such an exemplary program that it has been accredited by the National Academy of Early Childhood Programs. Set in a safe, challenging, and noncompetitive surrounding, children are offered a variety of activities that encourage them to express their creativity, and to develop friendships and positive social skills. CLASP reaches out to a variety of age groups and has established a preschool program for students 2 to 4 years old, before and after school programs for children attending the elementary schools in the Great Neck School District, and a 4-H Club for 8- to 10-year-old participants.

Realizing that CLASP is part of a most dynamic community, the organization joined in 1983 with the Great Neck Senior Center to provide an intergenerational program merging the children and the seniors of the area. This has resulted in a most successful and widely

acclaimed effort, giving both age groups a feeling of support and appreciation.

CLASP has also had the good fortune to be able to draw upon the community for continuous support and creative leadership. On its 20th anniversary, as it celebrates this special milestone in this successful growth, CLASP is recognizing a group of individuals who have played a most effective role in helping it grow into such a renowned organization. Irene Lichtenstein has served as a founder and board member; Arlene Kase, current educational coordinator, was a president, board member, and a dynamic supporter of CLASP for legislative issues; Hon. May Newberger, town supervisor of North Hempstead, has for years championed family issues and consistently emerged as a supporter; Rabbi Robert S. Widom, spiritual leader of Temple Emanuel in Great Neck, has taken an ever-present role in community leadership that has greatly benefited CLASP; and Ann Durham, a long-time board member, was effective in assisting CLASP to obtain its initial funding.

Mr. Speaker, from its humble beginnings in a garage in Great Neck, CLASP has compiled over two decades of success, thanks to selfless individuals who have provided exemplary leadership and resources, and a dedicated parent group and a staff that has consistently sought to bring out the best in its students. I ask all my colleagues in the House of Representatives to join with me today in recognizing and applauding the CLASP Children's Center, and in congratulating CLASP on its 20 years of dedicated service and outstanding success.

#### TRIBUTE TO WESTMINSTER PRESBYTERIAN CHURCH

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. BROWN of California. Mr. Speaker, today I rise to pay tribute to the Westminster Presbyterian Church of Ontario, CA, which is celebrating its 100th anniversary on April 23.

The Westminster Church has a dynamic history which I would like to share with my colleagues. The Westminster Church was organized in 1895 when Rev. H.M. MacLeod and 58 members established a Presbyterian Church in Ontario. On August 4, 1895, services were held in the first unit of the new church building at Euclid and E Street in Ontario. This new building was formally dedicated on November 9, 1902.

Due to the rapid growth of the church after World War II, the need for a modern and enlarged church building became apparent. Under the leadership of Rev. C. Eugene Barnard and with the approval of the congregation, construction of a new church building began. A groundbreaking ceremony for the present sanctuary was held on June 15, 1958, with Rev. Raymond H. Gordon as interim pastor.

The Westminster Presbyterian Church operates a day care center, which has been its principal mission since the center's inception on October 6, 1969. The day care center

building, known as the Christian education unit, was erected under the leadership of Rev. Don Hawthorne in April 1967 and is also used for Christian education on Sunday. Founded and organized by Directors Helen Brewster and Evelyn Hoehn, the day care center cares for approximately 128 preschool children. Over the years, the directors and staffs of the center have met the needs of each child with a spirit of Christian love and genuine concern.

In March 1975, David T. Anderson came from Paisley, Scotland, with his family to assume the pastorate of Westminster Presbyterian Church.

At this time, I would like to pay special recognition to the church's current minister, Rev. David Mote, who has been providing spiritual guidance for members of the Westminster Church since June 1993, and to Joanne McAleer, who recently became the new director of ministries and volunteer activities. Their dedication to their calling is to be commended.

This past year, the congregation participated in a miracle Sunday, collecting pledges of over \$200,000 in 1 day, to refurbish the church facility in anticipation of its centennial celebration. In celebration of its anniversary, the church will be having a centennial high tea complete with period costumes and an old-fashioned songfest, tours, an art show, the opening of the church's 1958 time capsule, and refreshments.

Westminster Presbyterian Church has served the community in Ontario for over 99 years. Over the years, former ministers, assistant ministers, and church members have made valued contributions to the church. Although I am not able to mention them all by name, I wish to pay tribute to all who have been involved in the church's ministry over the years.

Mr. Speaker, it is a great honor to come before my colleagues today to recognize the dedication and care with which the Westminster Presbyterian Church has served Ontario and its surrounding communities. I ask my colleagues to take a moment and join me in congratulating the Westminster Presbyterian Church on the occasion of its 100th anniversary.

#### UNITED STATES-RUSSIAN PARTNERSHIP FOR PEACE

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. TRAFICANT. Mr. Speaker, under the United States-Russian Partnership for Peace, the United States made a financial commitment to aid Russia's struggling economy in exchange for Russia's cooperation and compliance with international agreements. A reduced threat and defense burden were the expected outcome of the partnership. But after 12 billion dollars' worth of United States investment in Russia, we are no closer to international arms containment and nuclear non-proliferation.

On the contrary, Russia is the biggest supplier of arms and technology to Iran. To date, Russia has sold Iran three Kilo class submarines, of which two have been delivered;



MiG-29 and Su-24 deep airstrike aircraft, of which several have been delivered; and several hundred T-72 tanks, of which a few hundred have been delivered.

At the same time, China announced a 21-percent increase in its annual military budget, to approximately \$7.5 billion. This new Russia-China venture could ultimately alter the balance of naval power in Southeast Asia. With the purchase of 22 new submarines, China would be free to pursue its claims in the South China Sea to Vietnam, Indonesia, Malaysia, and the Philippines.

Furthermore, on January 8, 1995, Russia signed an \$800 million contract with Iran to complete two light water nuclear reactors at the unfinished Bushehr nuclear site, as well as attendant training and services. This action by Russia is in direct violation of the international Iran-Iraq Arms Non-Proliferation Act of 1992 (Title XVI of Public Law 102-484). The act imposes sanctions on countries that "contribute knowingly and materially to the efforts by Iran or Iraq, or any agency or instrumentality of either country, to acquire destabilizing numbers and types of advanced conventional weapons."

Similarly, Russia is in possible violation of many other United States laws which prohibit aid to countries that spread arms and nuclear weapons and related technology. The laws include, but may not be limited to: the Foreign Assistance Act Amendments, the Arms Export Control Act, the Export Administration Act, the Foreign Operations Appropriations Act of fiscal year 1994 and fiscal year 1995.

Finally, in the State Department's annual human rights report, Russia was identified as being in violation of international human rights agreements. In the report, Russia was criticized for the horrifying conditions of its jails and the cruel hazing of military recruits. The most serious violations, however, occurred in the Russian military assault on the breakaway republic of Chechnya where massive aerial bombardment of the capital, Grozny, and the dislocation of thousands of refugees "were in conflict with a number of Russia's international obligations." In its most recent action, Russia reportedly has blocked humanitarian assistance to Chechnya by the International Red Cross.

In my judgment, Russia's \$800 million nuclear reactor contract with Iran is sufficient evidence alone to cut off United States assistance to Russia. With respect to Russia's human rights violations, let me remind you that China almost lost most-favored-nation [MFN] trade status with the United States, for less.

As a result, I have introduced H.R. 1418, a bill to prohibit all United States foreign aid and military assistance to Russia for fiscal year 1996, unless the President of the United States certifies to Congress that Russia is not exporting any nuclear technology, offensive military weapons, or other military technology. H.R. 1418, however, exempts U.S. aid in the form of humanitarian assistance or assistance for the purpose of dismantling nuclear and chemical weapons.

If Members support offensive military weapons containment and nuclear nonproliferation, I urge them to cosponsor H.R. 1418.

## THE SECOND ANNUAL SALUTE TO VIETNAM VETERANS

**HON. MICHAEL BILIRAKIS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. BILIRAKIS. Mr. Speaker, a very special event will be taking place in my district later this month. The Hillsborough County Friends of the Parks and the Veterans Memorial Museum Committee are hosting the Second Annual Salute to Vietnam Veterans at Edward Medard Park.

This weeklong salute is to honor all Vietnam veterans and will include the moving wall. This event is dedicated to Vietnam veterans and their families.

The moving wall is a one-half scale replica of the Vietnam Veterans Memorial in Washington, DC. It is 250 feet long and contains the names of 58,191 Americans killed during the Vietnam war. The wall also includes the names of American servicemembers still unaccounted for.

Eight women are listed among the names listed on the Wall. Seven of them were Army nurses and one was an Air Force nurse. There are also 16 chaplains listed on the memorial. Two of these men were awarded the Congressional Medal of Honor.

The moving wall is a powerful symbol. Hundreds of thousands of people across the country have visited it in or near their communities. I am proud to say that on the previous occasions when it has been displayed in Florida, approximately 300,000 Floridians have visited the moving wall.

As of January 1, 1993, the memorial has been displayed in 315 communities throughout the United States and Canada. In addition, it has been displayed in Puerto Rico and Guam. Requests to have the wall have come from as far away as Australia, Ireland, and Germany.

I would like to take this opportunity to commend the organizers of this great event. It is a stirring reminder of just how blessed we are in the modern world to live in a free society, and will not allow us to forget that this blessing is due to the sacrifices of our friends, relatives, neighbors, and countrymen who served us all when duty called.

For as long as the American soldier stands ready to support his country and its allies, the forces of oppression and injustice will be held in check. For this, the American serviceman—the veteran—must never be forgotten.

## CONGRATULATIONS TO ROBERT A. BURT

**HON. BARBARA F. VUCANOVICH**

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mrs. VUCANOVICH. Mr. Speaker, I want to salute Robert A. Burt, a junior at Carson High School in Carson City, NV. Robert Burt was Nevada's winner of one of the 54 Voice of Democracy national scholarships awarded by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary. Along with 126,000

secondary school students, he entered the broadcast scriptwriting contest whose theme was "My Vision For America."

I believe his essay states an important theme and shows an optimism that we should all share, and I ask that it be reprinted in the RECORD.

### MY VISION FOR AMERICA

(By 1994-95 VFW Voice of Democracy Scholarship program Nevada Winner, Robert Burt, Post 3726, Carson City, Nevada)

America. My vision of this proud and glorious lady is not a dream of highways and skyscrapers, money and influence, but a scene of common, hardworking, honest people. A people who respect their neighbors, honor their families, and stand by their country. My vision of America is of a people and a land who are, as Alexandre Dumas phrased it, "All for one, and one for all."

My America is a place where people are not judged because of money and influence but through the work of their own two hands and intellect. My America is a land free of prejudice and ignorance. In my vision, a poor boy from Harlem will collaborate with the daughter of refugees and the son of white middle class workers in a scientific or on a medical breakthrough of the century. They will work not as individuals, but together as Americans. It will not matter what the participants' social background, or religious faith is, but their work as human beings that will be regarded. It will be a place where tolerance and acceptance of differences is not trampled by fear and hatred.

The America of the future is a place where we know and respect one another. It is a place where neighbors greet each other, a place where parents sit down with children and teach them to read.

America is not a place of "us" versus "them," it is a place of "we." The vision I see is one of a place where people are willing to give of themselves. It is a place where the people carry the spirit of Lexington and Concord, Vicksburg and the Marne, Pearl Harbor and Omaha. The spirit of the men who fought at these hallowed places, is the spirit we must carry. That spirit is not something easily defined. It is part sacrifice, part unwillingness to give up, but mostly, . . . the desire to move forward through cooperation.

It is because of this spirit that the vision I see will surely come to pass. When the odds seem to be too great, we unite, not as blacks, not as Christians, not as refugees, but, as our forefathers did on those cold and distant battlefields so long ago, we unite as Americans! We help each other, we serve each other, and if necessary, we die for each other.

It will not take years for my vision to take place. It is happening right now: a teacher in the inner city helping a struggling student; a parent playing with a child; two friends talking, regardless of their race or background. America's future is not dim; it is just beginning to shine! The future lies before us. It is up to us to undertake the journey.

## JOE D'ADAMO, WINNER OF THOMAS D'ALESSANDRO, JR. GOOD CITIZEN AWARD

**HON. NANCY PELOSI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Ms. PELOSI. Mr. Speaker, I rise to honor Joe D'Adamo, the 1995 winner of the Thomas

D'Alesandro, Jr. Good Citizenship Award. Named for the late, great Mayor Thomas D'Alesandro, this recognition is bestowed on Mr. D'Adamo for his contribution to the Italian-American community.

Joseph G. D'Adamo, Sr., was born in Baltimore 66 years ago. While growing up in Little Italy, he went to St. Leo's School. D'Adamo studied at both Baltimore Polytechnic Institute and the University of Baltimore.

D'Adamo worked at the Baltimore Evening Sun for 42 years before retiring in 1987. D'Adamo rose to the position of chief makeup editor where he was responsible for graphics and deadlines. As the Baltimore Sun's restaurant critic for many years leading to his retirement, D'Adamo enjoyed sharing his culinary finds with Baltimore. He still loves food and writing restaurant criticism for the East Baltimore Guide.

Sports has always played an important role in this sports writer's life. Currently, he is the Baltimore correspondent for Sports Illustrated, a position he has held for 25 years. Beyond writing, D'Adamo refereed basketball games for two decades in Baltimore city schools. As commissioner of the Maryland Wrestling Association from 1988 to 1993, D'Adamo was responsible for assigning referees to wrestling meets throughout Maryland. He also coached wrestling at Catonsville Community College and Catholic High.

D'Adamo's involvement with youth also has included 6 years in the Boy Scouts of America. He has served as Scoutmaster of Troop No. 177. These activities naturally led to D'Adamo's service as president and board member of parent-teacher associations at the Catholic High School and Archbishop Curley High School.

He has been active with the Holy Name Society and in 1967, he received the President's Award. D'Adamo is a member of the Little Italy Lodge, OSIA. In 9 years, he has served in a variety of executive positions at the lodge. A proud achievement for D'Adamo is the very successful lodge cookbook, "Let's Cook Italian" which he conceived, edited, and compiled.

Joe is married to the former Anna Giorgilli, also a native of Little Italy and a member of the lodge executive council. They have three children and nine grandchildren.

Mr. Speaker, I am pleased to salute Joe D'Adamo for the honor he has brought to the Italian-American community by his personal, professional, and civic accomplishments. He truly deserves this award for his contributions in the tradition of Thomas D'Alesandro, Jr.

#### INTRODUCTION OF THE FAMILY FOOD PROTECTION ACT

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. BROWN of California. Mr. Speaker, I am pleased to introduce The Family Food Protection Act of 1995 along with my colleague from New Jersey, Mr. TORRICELLI. USDA's recently proposed rule to implement a mandatory Hazard Analysis and Critical Control Point

[HACCP] plan was a good first step toward modernizing our meat and poultry inspection system. However, we need to do more.

The meat and poultry inspection of this system needs to be modernized. There is broad consensus that our current system does not adequately address the most prevalent public health problem associated with our meat and poultry supply—microbiological contamination. The Economic Research Service estimates that microbial food contaminants and the foodborne illnesses that result from them cause between 6.5 and 33 million human illnesses and 6,000 deaths annually in this country. While we can debate the actual figures, it is clear that we can and should be doing a better job of preventing these illnesses and deaths.

The problem has been attributed to consumer's failure to prepare meat and poultry products properly. Consumer education is clearly an important way to minimize this problem. However, the problems that have arisen with institutional and retail food preparation and more recently in salami, a ready-to-eat meat product, illustrate the need for a much more comprehensive approach to the prevention of foodborne illness.

The Family Food Protection Act would require USDA to develop microbial testing procedures to control the presence of pathogenic microorganisms in meat and poultry products. It would enable the Secretary of Agriculture to require slaughter and processing plants to adopt processing controls that will ensure the safe handling and processing of these products. The bill also establishes voluntary guidelines for retail establishments to ensure that the food handled and served by retail stores and restaurants is safe for consumers. Under this bill, USDA will have the authority to recall products that are found to be unsafe if the products are not subject to an adequate voluntary recall process. In short, it represents a comprehensive farm-to-table approach to upgrading our meat and poultry inspection system so that the quality and safety of these food products is assured.

Modernization of our meat and poultry inspection system is overdue. Consumer confidence in the quality and safety of our food supply is essential to maintaining a healthy meat and poultry industry, and public health should be protected by a modern science-based meat and poultry inspection system. I urge my colleagues to join Mr. TORRICELLI and I in co-sponsoring this legislation which will provide USDA with the statutory tools necessary to improve and modernize our meat and poultry inspection system.

#### SALUTE TO HERBERT F. (BERT) BOECKMANN II

**HON. ELTON GALLEGLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. GALLEGLY. Mr. Speaker, I rise today to honor a selfless philanthropist, a successful businessman, a good friend, and recipient of the 1995 Horatio Alger Award—Bert Boeckmann.

A native Californian, Bert established early in life a commitment to hard work and a spirit of entrepreneurship that have served him well and have endured to this day.

In his early teens, when many of his peers were focused on the simple pleasures of youth, Bert began mowing the lawns, cleaning the basements, and washing the windows of local estates. He later put himself through the University of Southern California by working a weekend maintenance job and the graveyard shift at Lockheed Aircraft.

He took a job as a car salesman at Galpin Ford in 1957 and—less than 4 years later—was promoted to general manager of the company. His leadership ushered in an unprecedented period of prosperity for the struggling dealership, which he acquired in 1968.

Galpin has ranked first in profits among all Ford dealerships for 21 of the past 25 years, which is not surprising given Bert's dedicated leadership and the fact that he has created an environment that encourages his best people to stay with the company. Top Galpin managers have tenures ranging from 17 to 36 years, a nearly unheard of record of commitment in the industry.

But life for Bert has hardly been just about business. A husband and proud father, he has demonstrated time and time again that he cares more about others than he does about himself—that no demand is too great when there are people out there in need of assistance.

In 1991, Bert and his wife Jane joined Secretary of State and Mrs. James Baker in honoring Mother Theresa with the Prince of Peace Prize. Bert also helped raise \$1 million in medical supplies, food, and clothing for Mother Theresa's charities.

Two years ago, Bert responded to a desperate plea from Russian farmers for seeds needed to ensure an adequate harvest. Not only did he orchestrate the donation of 56,000 pounds of seeds from several American companies and arrange for their transport by the Department of Defense, Bert and Jane met the transport plane in Russia and personally directed the distribution.

Mr. Speaker, these are only a few examples culled from a lifetime spent serving people. As his friend, I know that Bert is the kind of person who, when faced with a challenge, never wonders whether something can be done. He is the kind of person who is always willing to do whatever it takes to make a difference.

#### LOBBYIST DISCLOSURE REFORM

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MILLER of California. Mr. Speaker, Kevin Phillips has called the Contract With America a "dubious mix of reforms, gimmicks and con jobs."

I call it a "friendly corporate take-over of the Congress" because the new Republican leadership has been encouraging lobbyists to serve as de facto official staff in drafting and amending legislation.

I am not being naive about the existence, or the value, of lobbyists. But with the carte



blanche provided them by the Republican leadership, lobbyists can contaminate the legislative process. And they have.

The headline in last Friday's New York Times said it all: Business Leaves the Lobby and Sits at Congress's Table.

Time magazine says that the Republican leadership "has attached its fortunes to private lobbyists, and is relying on their far-flung influence to pass its agenda." Newsweek says that lobbyists are actually writing the bills. And they have it exactly right.

Corporate representatives, individually and through coalitions like the Thursday Group, have been writing whole bills and amendments, with no public review and often without hearings, to serve their clients' narrow interests. Little wonder that the Contract With America has been described as "a triumph for business interests, who \* \* \* find themselves a full partner of the Republican leadership in shaping congressional priorities." The arm-length relationship between lobbyist and legislator has been brazenly abandoned.

The examples are stunning: A committee of lobbyists rewrites the Clean Water Act "to satisfy industry groups like the Chemical Manufacturers Association." Lobbyists, working from a Capitol office, plot the strategy and drafting of bills on regulatory reform and risk assessment. A lobbyist for the Wholesale Distributors develops the strategy on the product liability bill from an office provided by Republicans. A former Republican Congressman is allowed to sit on the committee dais during a hearing on matters affecting his current client.

With all due respect, what is going on here? I frankly do not know what is more disturbing: that these abuses are occurring, or that the Republican leadership and membership appear unconcerned and unaware that these practices degrade the democratic process.

The American people did not vote last year to turn the legislative process over to lobbyists to rewrite our health and safety laws, our environmental laws, and our tax laws for the benefit of their corporate employers. And the Congress cannot allow this abuse to continue.

Today, I am introducing an amendment to the House rules to require full disclosure of the role of all nonpublic employees in the drafting of legislation, amendments, reports and other products of the legislative process.

I note that Speaker GINGRICH was questioned about the substantial role of lobbyists in drafting the Contract, and replied, "As long as it's out in the open, I have no problem."

My resolution assures that lobbyists' handiwork will be "out in the open," and I think the integrity of the Congress requires that it be adopted without delay.

#### REPORT ON HAITI

**HON. BILL RICHARDSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. RICHARDSON. Mr. Speaker, I commend to my colleagues a report drafted by Congressman JACK REED. The report: "The Situation in Haiti—March 1995" is an excellent overview of what the United States has man-

aged to accomplish since United States troops were introduced in Haiti in order to help restore democracy. The report also looks at Haiti's immediate future and provides insight into what can be expected in Haiti after the departure of many of the United States military personnel currently on duty there. Perhaps most important, the Reed report serves as an excellent primer on the security situation in Haiti, future United Nations involvement in Haiti, attempts to create a new Haitian police force, the re-creation of a justice system, the prospects for fair and open elections, and the outlook for economic development in Haiti.

Congressman REED wrote his remarks after a recent second visit in Haiti. Last year, JACK REED and I travelled to Haiti together. At that time, I found his perspective there to be very helpful. As a former company commander in the 82d Airborne Division, Army Ranger, and West Point graduate, JACK REED has the ability to look at a foreign policy problem from a soldier's point of view. JACK REED also is not afraid to do some heavy lifting when it comes to forming his own opinions. In the last few years, in addition to his trips to Haiti, Congressman REED traveled to Somalia twice and to Bosnia. After each trip, Representative REED sits down and drafts a report on what he learned from his travels. I ask that a summary of his most recent report, "The Situation in Haiti—March 1995" be printed in the CONGRESSIONAL RECORD. Members interested in reviewing the complete text of Congressman REED's report should contact the Congressman's Capitol Hill office.

#### THE SITUATION IN HAITI—MARCH 1995

(By Congressman Jack Reed)

##### INTRODUCTION

On March 10 and 11, I travelled to Haiti with a Congressional delegation led by Benjamin A. Gilman, Chairman of the House Committee on International Relations. The particular focus of my efforts was to assess the security posture of Haiti in light of the scheduled transition from the American-led Multi-National Force (MNF) to the American-led United Nations Mission in Haiti (UNMIH). Based on this assessment, a further evaluation of the prospects for developing a stable, democratic government in Haiti may be made.

##### AMERICAN MILITARY FORCES

As an initial point, the superb performance of American military personnel must be recognized. The skill, discipline and professionalism of the American forces are in keeping with the highest standards of our Armed Forces.

Outstanding leadership has been demonstrated by the principal commanders, including, but not limited to, MG George Fisher, Commanding General of the 25th LID, BG Paul Hill, the Assistant Division Commander of the 25th LID, and COL Charles Swannack, Commander of the 2d Brigade of the 25th LID.

The success of United States military forces is also attributable to the effective working relationship with the American embassy. Ambassador Swing is a consummate professional who continues to provide great leadership in a demanding situation.

##### SECURITY SITUATION

The assessment of the principal commanders and soldiers in the field is that there is no organized, military threat to the MNF or UNMIH. Sporadic violence exists, but it does

not appear to be based on political motivation, rather it stems from criminal activity or domestic violence.

MG Fisher is confident that he has effectively accounted for all members of FAH'D (the former Haitian army/police). These individuals are part of the Interim Police (after proper vetting), employed by other ministries of the Haitian Government, or involved in public works programs.

In addition, there does not appear to be large scale stocks of military weapons which potentially could arm a dissident force. Shotguns and handguns are prevalent in private hands, but are increasingly rare on the streets.

Evidence of the improved security situation was obvious in my nighttime patrol of Port au Prince with COL Swannack. We observed several roadblocks being conducted by elements of the 2d Cavalry. In the course of the evening, these control points stopped several hundred vehicles and no weapons were found.

The present, tranquil situation should not be allowed to mask continuing and fundamental tensions within Haitian society which could, in the absence of international forces or a capable local police, explode into destabilizing violence. Nevertheless, at this juncture, there does not seem to be any potential military threat to the transition to UNMIH. Although there is speculation that opponents of democracy may try to test UNMIH after the departure of MNF, the large and continuing presence of American personnel and the continued leadership of MG Kinzer significantly diminishes this potential.

From a security standpoint, the next critical crossroad is the scheduled departure of UNMIH in February of 1996. The ability of UNMIH to successfully depart and, conversely, the ability of the Government of Haiti to function without a large, international military presence is dependent upon the accomplishment of several critical tasks. The major challenges that must be met are: (1) the creation of a professional and non-political police force, (2) the successful conclusion of scheduled elections, (3) the reform of the judicial and prison systems and (4) the initiation of sustainable economic development.

##### POLICE FORCES

Having visited Somalia twice during the recent deployment of United States personnel, I am particularly sensitive to the need to create a credible, stable and democratically oriented police force. In Somalia, the failure to even begin this effort was one of the major contributing factors to the overall failure of the mission there.

Efforts to date indicate that MNF and UNMIH are trying to avoid this mistake. The MNF quickly stood-up an Interim Police ("IPSF"). These police were culled from vetted members of the FAH'D and from Haitians in Guantanamo. They received six days of training. Their role is carefully circumscribed so that they do not operate independently of MNF forces and the International Police Monitors ("IPM").

The IPSF will be a bridge to a new permanent police force which is currently in training. Unlike the IPSF, the permanent police force has been recruited to avoid former members of FAH'D.

The MNF has established rigorous selection criteria and a demanding training program for the permanent police. Contrary to tradition, candidates for the permanent police were selected by both physical and academic examinations. The MNF specifically

rejected the "recommendations" of local political leaders. The initial pass rate was 9% for the first exam (661/7,736). The pass rate is 19% for the current exam (164/868).

Although an impressive start has been made to constitute an effective police force, key questions remain. Primary among these questions is the command structure. Aristide has indicated that he would like the police to be controlled by local mayors, but with a national "Director General" who would be charged with overall supervision of the police. Since the police will emerge as the only effective armed force in the country, the control of the police will be a critical decision. A police solely under the control of a national leader could quickly come to dominate the political scene. On the other hand, local control could lead to multiple power bases throughout the country with the potential for conflict. Careful thought should be given to the command relationships of the police.

In a related point, Aristide has indicated that he does not favor the recreation of an army. If no army is created, then the permanent police will likely have to be expanded to take on the tasks of border patrol, customs collections and other functions that are carried out by uniformed forces.

The decision has been made to provide strong economic incentives to attract the best candidates and to ensure as much as possible that the police avoid corruption. As such, police are scheduled to receive compensation on the order of \$365 a month which is roughly the annual per capita income of Haiti. This raises the possibility of creating an economic elite. Nevertheless, the alternative of an inadequately paid police raises the possibility of a quick reversion to the corruption of the police which existed under previous regimes.

#### THE SYSTEM OF JUSTICE

Closely related to the need for an effective police force is the necessity for effective judicial and penitential systems.

The judicial system is plagued by corruption, incompetence and archaic procedures. The result is a system where a prisoner can languish in jail for five years before he even sees a judge for a preliminary hearing.

The penal system is equally in disarray. I visited the jail adjacent to the police station in Petionville. Under the direction of United States military police, the jail had been cleaned and reorganized. On their arrival, it was filthy with inadequate sanitation. There was no real accountability of prisoners nor even rudimentary programs to maintain the health of the prisoners. The entire penal and judicial system has to be overhauled.

Since a fundamental reform of the Haitian judicial system may require a change of the Constitution, I asked President Aristide if he would support such efforts. He indicated strong support for such changes and spoke passionately in decrying the current shortcomings of the judicial system.

#### THE CONDUCT OF ELECTIONS

The credibility of the Haitian government and the international community will be decisively tested by the outcome of scheduled elections. At this time, parliamentary elections are scheduled for June 4, with a run-off scheduled for June 25. The national election to select the next President to succeed President Aristide is scheduled for December with the new President to assume office in February of 1996. (UNMIH will depart in February, 1996 coincident with the installation of the new President.)

The elections provide a daunting political as well as logistical challenge. Over 9,000

polling booths and 30,000 to 40,000 election officials must be organized. All of this in a country where communication and transportation are severely limited and the potential for violence is persistent.

To deal with these challenges, MG Kinzer will redeploy UNMIH forces to specifically prepare for the elections.

Another good sign for the election is the presence among the UN staff of Mr. Dong [phonetic] who has direct UN responsibilities for the election. Dong is a veteran of the Haitian elections in 1987 and 1990. Coincidentally, the Nepalese contingent commander just finished providing security for elections in Nepal. He brings immediate experience and expertise to the UN effort.

Successful conclusion of the parliamentary elections will be a significant first step in developing a stable political system. In addition, it will provide the institutional framework of a functioning parliament necessary to continue reforms in Haiti, particularly with regard to the judicial and penal systems. Finally, it will set the stage for the Presidential election in December. If the parliamentary elections fail, then the Presidential elections are likely to collapse also. This development could mortally wound efforts to restore democracy to Haiti, embarrass international efforts, and create a power vacuum which could see the continuation of President Aristide beyond his Constitutional term or the reemergence of anti-democratic forces.

#### ECONOMIC DEVELOPMENT

If UNMIH can stand-up a police force, help reform the judicial and penal systems, and broker successful elections, then Haiti can focus on the persistent and exorbitantly difficult task of sustained economic development.

Initial plans call for an international aid package of \$1.2 Billion with the United States responsible for \$200 Million.

This package recognizes that the United States should not bear the lion's share of the cost. Despite the outline of this aid package, actual donations have not been readily forthcoming.

The most visible aid program in Haiti at the moment is a jobs program run by USAID. This program puts Haitians to work on public works projects. The program is short-term and there is an ongoing debate on whether the program has reached the employment goals originally outlined to the Aristide government. Recently, a longer-term effort was announced by the signing of an agreement to create a credit facility with the Bank of Boston guaranteed by OPIC. This \$68 Million facility will provide credit for businesses to locate in Haiti. Outside of these notable efforts, the development effort continues to lag.

Without adequate international aid and a coherent plan, economic development will not occur and the ultimate goal of a stable, market-oriented democracy will be frustrated. However, the task of economic development cannot be accomplished without effective action by the Haitians themselves. At present, the Aristide government is concentrating on four major issues: macroeconomic stabilization, trade liberalization, privatization of state-owned enterprises, and decentralization of government operations.

As part of the macroeconomic stabilization, the government is attempting to reform its tax policy. Present reform efforts are limited to increasing the rate of collection. Last year, collections represented 3.3% of GDP. The Haitian government has committed to the IMF that it will raise collec-

tions to 6.5% of GDP. Nevertheless, these figures are well short of 12% of GDP which is accepted as an international benchmark.

#### THE UNITED NATIONS

As the MNF departs and UNMIH assumes responsibility, it is appropriate to raise some cautionary points.

First, the presence of USAID and numerous NGO's indicate the UN coordination role should be handled by a minimal number of personnel. It would be a misuse of resources and a potential political liability if the UN effort was portrayed as an expensive and expansive operation.

Second, the current care and comfort of the troops is of the highest order.

Third, it seems that the aviation assets for UNMIH are unduly limited. Helicopter lift capacity is an extraordinary multiplier of military effectiveness in a country like Haiti.

Fourth, there is a huge need for basic infrastructure repairs and a complementary need to put Haitians to work. Both of these objectives can be served by civic action with UNMIH forces.

#### CONCLUSION

Through the leadership and skill of the MNF, Haiti enjoys a degree of public security and civic peace which is rare in its tumultuous history. An opportunity exists for fundamental economic and social reforms. The leading edge of these reforms is the successful completion of scheduled elections followed by governmental reforms of the judicial and penal systems. Undergirding these efforts is the constant imperative of economic development to sustain a viable democratic process.

Based on my observations, the transition from the MNF to the UNMIH is likely to be uneventful. The continuing strong United States presence in UNMIH is also likely to ensure a stable security environment through February 1996 when the UN mandate ceases.

After February 1996, the outlook is not so clear. So much depends on the confidence building steps of successful elections and the effectiveness of international aid and local economic reforms. I harbor a degree of skepticism that a society without a strong tradition of political participation and market economics can, in a short time build institutions that will endure, even if the international community makes good its promise of support.

After February 1996, I would not anticipate a dramatic uprising. Rather, the greatest danger would be a return to the corruption that dominated previous regimes; corruption that would gradually undermine reform efforts, frustrate economic progress and invite an abandonment of the democratic process.

The United States, as the leader of the international community, has taken a decisive stand against an illegal military dictatorship in the Hemisphere. It has restored a democratically elected government. It has purchased time to build a stable society. But ultimately, the fate of Haiti is in the hands of the Haitian people. In the next few months, the international community has the opportunity to give the people of Haiti a chance to forge a more decent and productive future.



## JOB CREATORS

## HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. FORBES. Mr. Speaker, we in Congress are obligated to protect the interests of our small businessmen and women. These job creators make enormous contributions to the local economy on eastern Long Island. As a Member of Congress, I will always champion the cause of small business.

The recent cap levied on travel agency commissions could devastate small business. Most travel agencies are small businesses and a significant source of employment and tax revenues for our area. I am concerned about the outrageous action taken against the travel industry. Moreover, the impact on consumers will be harmful.

I have set up a meeting with Anne Bingaman, Deputy Attorney General for Antitrust, to express my outrage and request that the Justice Department take a more active role in investigating this situation. I will be very involved in fighting to restore fairness to the travel agents.

Following is a recent article that ran in the New York Times, describing this problem:

[From the New York Times, Mar. 29, 1995]

## SOME AIRLINES BREAK RANKS OVER FEES

## PAID TRAVEL AGENTS

(By Adam Bryant)

Several airlines, following in their long tradition of breaking collective decisions, are already starting to chip away at the industry's recent move to cap commissions for travel agents.

In early February, in a bid to cut costs, the airline industry imposed a maximum commission of \$50 on a round-trip domestic ticket. But some carriers—including Delta Air Lines, the pioneer of the limit on travel agent fees—are now offering new backdoor financial incentives that reward bigger agencies for exceeding sales goals. These moves mean some airlines are effectively giving back some of the money they said they would save when they announced the caps. Before the cap, airlines generally paid travel agents a 10 percent commission on the price of ticket.

"Continental wants all of your high-yield business—and we'll pay you for it!" reads a flier that Continental Airlines sent recently to only about one out of 10 of its travel agents. Continental, in outlining its new "Fast Cash" program, offered a \$50 "bonus payment," in addition to existing incentive programs, for costlier round-trip tickets on transcontinental flights.

Similarly, travel agents said sales representatives from Delta had visited them recently with new contracts that offered extra payments for swinging business the airline's way.

Given the fiercely competitive nature of the business, other airlines will probably follow the lead of Continental and Delta. Except for Continental, the largest airlines declined to comment yesterday on whether such incentive programs were in place or were under consideration.

There are many implications of this new wrinkle in the way airlines compensate travel agents.

Perhaps the biggest losers will be smaller travel agencies, which often lack the volume

of business to win extra payments. And some travel agents warn that the new incentives, if they spread, may force them to act against their customers' best interests by steering them to a certain airline. "People trust travel agents, and travel agents can influence some people's choices," said Blake Fleetwood, president of Planetarium, an agency in Manhattan affiliated with American Express.

Some travel agents, including Mr. Fleetwood, had predicted that the airlines would have trouble making the cap stick. History was certainly on their side. In 1983, for example, Delta, Eastern and United refused to go along when American Airlines and Trans World Airlines lowered their commission rates.

To the extent the cost savings that airlines had expected shrink, the latest moves could affect the stocks of a number of carriers. The stocks of several airlines jumped several points last month after they announced in rapid succession that they would follow Delta's lead in capping commissions for domestic tickets.

"This was viewed as a fundamental change in the industry," said Julius Maldutis, an airline analyst at Salomon Brothers. But now that at least some of those touted savings are going to be returned to travel agents, it "is going to cause investors to pause and rethink their exuberance," he added.

The American Society of Travel Agents said that such incentives would hurt smaller agencies the most because they were not being given the opportunity to make up the revenue they expected to lose because of the commission caps. The new caps angered thousands of agents who said the cuts would devastate their industry.

"It does appear that the airlines were essentially winking at some of the larger travel agent partners when they made their original announcement," said Steve D. Loucks, a spokesman for the travel agents' trade group. "The playing field is far from being level."

The Justice Department signaled its concern about such incentive programs in late 1993 when it announced that it was investigating Delta's deals with travel agents in Salt Lake City and the effect of those deals on a smaller competitor, Morris Air. That investigation has since been dropped, but the department said yesterday that it was continuing to investigate the possibility of so-called exclusionary practices, like extra commission incentives, by airlines that dominate certain cities.

Airlines have had difficulty making other industry-leading initiatives stick. The main reason is that every extra fraction of market share is so important to each airline that they often break away from the pack in the hope that they will gain a competitive advantage. That is one reason why America West and Southwest Airlines still offer travel agents a 10 percent commission.

American Airlines learned this lesson in 1992 when it tried to establish a new, simplified fare structure that it called Value Pricing. Many airlines immediately followed, but others did not, and the new system crumbled.

The fallout of the effort, however, offers a parallel to the current capping of commissions. The simplified fare structure from 1992 wiped out the earlier deals for discounted tickets that big corporations had made with airlines. Corporations insisted on restoring some kind of discount, but the break with the past gave the airlines an opportunity to negotiate new pacts.

Similarly, many large travel agencies have complained to some airlines after the recent capping of commissions that they need a way to make up the reduced revenue while others began charging fees to ticket purchasers to make up some of the loss. An executive at one major carrier, who asked not to be identified, said his airline was negotiating new contracts with those agencies whose support it needed the most.

## CANDIS "CANDY" SNIFFEN

## HON. G.V. SONNY MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MONTGOMERY. Mr. Speaker, on March 28, 1995, I had the bittersweet experience of saying goodbye and thank you to Candy Sniffen who retired from more than 25 years of exemplary service on the Veterans' Affairs Committee staff. I say bittersweet because, although Candy was looking forward to a well-earned period of comparative peace and quiet, I know that her extraordinary skills, deep dedication to veterans, and expansive knowledge of veterans' legislation and programs are nearly irreplaceable.

Candy worked with Mack Fleming, who recently retired as chief counsel and staff director of the committee, for 21 years. I want to stress that Candy worked with Mack. Theirs was a remarkably effective and professional partnership, and Mack would be the first to say that Candy was indispensable to him, both as a valued colleague and as a trusted friend. When I was told that Candy and Mack were going to retire at the same time, it seemed somehow very appropriate to me.

During her long tenure with the committee, Candy worked under five chairmen—Olin Teague, Bryan Dorn, Ray Roberts, Bob STUMP, and me. As you can imagine, dealing with these very different individuals was a challenge, but Candy met this challenge with great grace, and I am grateful that I had the benefit of her support and assistance for more than 14 years.

As a working mother, Candy somehow managed to balance all of her responsibilities and excel at all she did. At the same time she was training at least two generations of committee staff and keeping Mack on target, she also raised two beautiful daughters and contributed an enormous amount of time to her church.

Lest anyone think of Candy only as a solemn do-gooder, I am told she did a very funny Dolly Parton imitation and knew many ways to bring amused smiles to the faces of her fellow staff members. Candy's lightness of heart and quick wit frequently served to lessen the tension during stressful and sometimes very long days and endeared her to her colleagues.

Candy lived out and acted on her deep, sincere concern for other people—both in her professional and her personal life. Her spirit of caring and compassion, her professionalism, and her can-do attitude touched and improved the lives of countless individuals—many of whom will never know how much Candy Sniffen contributed to their well-being. On their behalf, then, and on behalf of the other members of the committee, I want to say thank you

to Candy Sniffen for her dedication, her high principles, and her strong character and to wish her well in her future endeavors. Our world is a measurably better place because of her ideals and commitment.

TRIBUTE TO THE HONORABLE  
BEVERLY SAVITT

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Ms. WOOLSEY. Mr. Speaker, I rise today to honor one of my district's most dedicated public servants, Marin County Superior Court Judge Beverly Savitt. In 1983, Judge Savitt became the first woman to serve on the Superior Court bench in Marin County.

She has served the people of Marin County well in this capacity and earned the reputation for streamlining and humanizing the county justice system.

Judge Savitt earned her law degree at Boalt Hall School of Law at the University of California at Berkeley. She and two other attorneys formed the first all female law firm in the country. She has contributed her time and energy to the education of lawyers and judges, particularly in the area of family law.

As we celebrate Beverly Savitt's years of service to this community, I wish to recognize Judge Savitt for her commitment to the people of Marin County, and to thank her for her long record of public service. She has been a role model for women and a founding member of many organizations devoted to empowering women. She helped start the California Women Lawyers, the Marin Chapter of the National Women's Political Caucus, and the Center for Families in Transition. She has been very active in the Marin County Chapter of the League of Women Voters. Beverly Savitt has also served as Vice Chair of the Juvenile Justice Commission. She helped restructure the grand jury selection process and developed a questionnaire that is still in use today.

Beverly Savitt has been instrumental in planning and implementing changes that improve the quality of justice in Marin County. She initiated a new method of handling family law matters and promoting alternative dispute resolution. I continue to be impressed by her dedication and vision. Her latest achievement was being elected into the Marin Women's Hall of Fame this year.

Beverly and her husband, Jack, have been married for 48 years and have a son and daughter, both married. They live in Belvedere.

Mr. Speaker, it is my great pleasure to pay tribute to Superior Court Judge Beverly Savitt upon her retirement. Marin County owes a great deal of gratitude for the tireless efforts of Judge Savitt over the years. Time and time again she has extended herself on behalf of so many people and for so many causes. I extend my hearty congratulations and best wishes to Beverly and to Jack for continued success in the years to come.

TRIBUTE TO HUGH LYNN  
ANDERSON

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. PASTOR. Mr. Speaker, I rise today to recognize and congratulate the Arizona Agriculture Committee's 1995 Friend of Agriculture award winner, Hugh Lynn Anderson.

An Arizona native, Mr. Anderson has been a rancher, farmer, and community leader for over 50 years. His career in agriculture began at a young age while working on his parents' ranch in Adamana, AZ. He later attended the University of Arizona and received his bachelor of arts degree in animal husbandry and range ecology in 1934. After working for the U.S. Department of Interior and Agriculture, he moved with his wife to Maricopa County where they purchased a 1,900 acre ranch.

Throughout his life, Mr. Anderson has played an active role in community and agriculture-related organizations. He has served as the president of the Arizona Cattle Growers' Association, director of the Arizona Cotton Growers' Association and the Maricopa County Farm Bureau. He has also served as a mediator for the State land commission during the implementation of the Taylor Act. I am proud to know Mr. Anderson as a friend, and it is my pleasure to recognize his outstanding achievements and contributions to the people of Arizona.

A TRIBUTE TO LT. COL. MARY  
KRAWEC COX

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. FAZIO of California. Mr. Speaker, I rise today to pay tribute to Lt. Col. Mary Krawec Cox, who will retire effective July 1, 1995, after 26 years of dedicated service to the U.S. Air Force. Lt. Col. Cox has been the Chief, Primary Care Clinic, USAF Clinic, McClellan AFB in Sacramento, CA, for the past 6 years.

A native of West Roxbury, MA, Lieutenant Colonel Cox graduated, Emmanuel College, Boston, MA, BA degree in biology; Columbia University, New York, NY, BS in nursing; University of Minnesota, Minneapolis, MN, masters degree in public health. Her first job as a registered nurse was in labor and delivery, Kaiser Foundation Hospital in San Francisco, CA, October 68-May 69.

She began her Air Force career as a 2d Lieutenant, staff nurse, labor and delivery, Wilford Hall Medical Center, San Antonio, TX, May 69-70. Her Air Force career has taken her to Tachikawa, Japan, staff nurse, labor and delivery, USAF Hospital Tachikawa, March 70-March 72. Albuquerque, NM, charge nurse, labor and delivery, USAF Hospital Kirtland AFB, NM, March 72-July 75. Minneapolis MN, USAF nurse recruiter, July 75-Sept 78. Mather AFB Hospital, Sacramento, CA, health education coordinator, June 79-June 85. Adana, Turkey, primary

care nurse practitioner, Incirlik Hospital, June 85-Oct 86. Sacramento, CA, Mather AFB Hospital, primary care nurse practitioner, Oct 86-July 89, and McClellan AFB, chief, primary care clinic, July 89-Dec 94. Fairborn, OH, Wright-Patterson AFB Hospital, investigator-Desert Storm medical evaluations, January 95-May 95, and McClellan AFB, CA, June 95.

Lieutenant Colonel Cox has received several distinguished honors through her career. Tri Beta Biology Society, Sigma Theta Tau National Honor Society of Nursing, Meritorious Service Medal, Air Force Commendation Medal, Chief Nurse Insignia, California Air Force Association Meritorious Service Award, California AFA Outstanding Performance Award, and Mather AFB Nurse of the Year Award.

She has served with the American Heart Association, AHA Speakers Bureau, Greater Sacramento Hypertension Council, Chairman-Consumer Health Education Program Advisory Committee, Member-Medical Advisory Board: Sierra-Sacto Hypertension Council and McClellan AFB Health Consumer Education Committee.

The extraordinary leadership, outstanding dedication, and ceaseless efforts of Lieutenant Colonel Cox culminate a distinguished career in the service of her country and reflects great credit upon herself and the U.S. Air Force.

THANK YOU, CORINNE MARTIN

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. BARCIA. Mr. Speaker, we each have the good fortune to encounter many talented and devoted people during our lives. Occasionally we have the very rare treat of being associated with someone so special that we should constantly give thanks for our good luck.

I have had such a rare opportunity in my association with Corinne Martin, who had served as the executive assistant to the city manager of Bay City, MI, and in the city attorney's office, the city clerk's office, the planning office and the personnel office. Her efforts significantly contributed to the betterment of the lives of thousands of Bay City residents over her term of service.

Corinne Martin has earned the respect of her colleagues, Bay City officials, and Bay City residents for her sense of professionalism and for her exemplary integrity. Her demonstrated capability to draft public proclamation for important local events have significantly contributed to the sense of understanding of our community and the appreciation of its history.

Her absence from city hall has been noticed by those of us who appreciate and respect her years of service. I know that her retirement has been a happy one, and that she continues to find new ways to be of help to her community.

Mr. Speaker, I invite you and all of our colleagues to wish Corinne Martin the very best after her many years of devoted, conscientious, and outstanding public service to the people of Bay City.



# TIME TO ENERGIZE AND RENEW THE WAR ON DRUGS

**HON. GERALD B.H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. SOLOMON. Mr. Speaker, the time has come to refocus our sites on the No. 1 problem in this country, drugs. Today, I am submitting into the RECORD a recent statement by Bill Bennett and John Walters entitled "Renewing the War on Drugs".

Fortunately, the public has more sense than to believe the nonsense being sent out by the Cato Institute and other pro-legalization organizations. They would have us believe that since we have failed to make progress, as measured by them, it is time to give up the fight. For the sake of our children and our grandchildren we must never, never give up.

As the war on drugs goes on, it may be appropriate to remember the words of one of our greatest Presidents as he reassured the American people: " \* \* \* the crisis we are facing today \* \* \* requires our best effort and our willingness to believe in ourselves to believe in our capacity to perform great deeds, to believe that together with God's help we can and will resolve the problems which now confront us. After all, why shouldn't we believe that? We are Americans."—President Ronald Reagan.

As Americans we must win and we will win the war on drugs. As a Marine I can assure you that you don't win a fight, battle or a war by giving up.

The most serious problem with legalization is that it will hurt those communities who can least afford a significant increase in the number of addicts, violence and crime. But do the libertarian elites at the Cato Institute or the wealthy Hollywood cocaine users in Hollywood really care about this community? Don't kid yourself, they couldn't care less about the damage legalization would do to the inner-city poor so long as it helps them justify their self-centered and self-indulgent lifestyles.

They know legalization would be lucky to get more than three votes in the House or even one in the other body. Legalization was jettisoned with Joyclyn and is not coming back. However, it is useful if your real purpose is to influence young people to try and use drugs.

The message the American voters sent Washington last November had nothing to do with surrendering the war against drugs. On the contrary, the public wants a Congress willing to stick with and win the war on drugs. This Congress should consider and enact the bold strategy for winning the war on drugs developed by past Drug Czar Bill Bennett:

First, empower and demand action from the largely irrelevant White House Drug Policy Office; second, place economic sanctions against drug exporting nations; third, transfer control of drug interdiction to the military; fourth, identify and dismantle drug trafficking organizations; fifth, block grant drug enforcement funding; sixth, demand some Presidential leadership in the War on Drugs; seventh, close open aid drug markets; and eighth, expand drug testing programs.

These are some of the legislative approaches we should move to enact when the Congress reconvenes. It is time to prove to the American people we are serious about winning the war on drugs and we now have the votes to make these accomplishments.

## EXPAND DRUG TESTING IN THE PRIVATE SECTOR

I will soon be introducing legislation to make it easier to drug test in the private sector. I will also be offering amendments to the appropriations bills requiring drug testing of all applicants for employment with the Federal Government, including summer employment and random testing of all Federal employees. These amendments were narrowly defeated in the last Congress. We now have the votes to enact these provisions.

## DENY STUDENT ASSISTANCE AND SUMMER JOBS TO DRUGS USERS

I will also be offering an amendment to the Higher Education Reauthorization Act to deny loans or grants to anyone convicted of using drugs. This amendment was narrowly defeated in the last Congress. We have just begun to use the tools at our disposal to win the war on drugs. What we have run out of is tolerance for policies which have failed.

## END TAX EXEMPT STATUS TO DRUG LEGALIZATION ORGANIZATIONS

Today I am introducing legislation to end the tax exempt status of organizations which promote or advocate the legalization of drugs. I would ask all of my colleagues to join in sponsoring this bill. I will offer this as an amendment to the first appropriate vehicle.

The American family, trying to raise their children in a drug free environment, is under attack by organizations, which actually promote the use of illegal drugs. To make matters worse, these organizations receive favorable treatment under our laws. This is dead wrong and our Tax Code must be immediately corrected to end this travesty.

The pro-legalization message being sent out by these organizations is providing results. More kids are involved with drugs than anytime in the past 20 years. Consequently, the number of addicts on our streets will rise dramatically within a few more years. These organizations are not charitable organizations. Just the opposite. They are organizations which deliberately deceive the public and the media by using legitimate sounding names such as the Drug Policy Foundation, or the Organization for Responsible Drug Information. Yet, they are financed and run by people who advocate or condone the use of illegal drugs.

Mr. Speaker, I would also point out that these organizations have knowingly and willfully violated our laws by actively lobbying Congress. Officials from the so-called Organization for Responsible Drug Information has contacted my office to state their opposition to my drug prevention legislation and I received a flyer just today from the Cato Institute advocating drug legalization. Who is contributing to Cato? These organizations and the individuals involved with them are violating United States Tax Code. They need to be investigated and their contributors should be required to pay taxes on past contributions.

## PLAYING ABC NEWS LIKE AN OLD FIDDLE

A pseudo new report airing tonight on ABC entitled "America's War on Drugs: Searching

for Solutions" fails the most fundamental journalistic standards by portraying pro-legalization groups as so-called "experts." The public relations efforts of these concerns come right out of a Dale Carnegie book and the news media is certainly giving them credibility. Whether duped or receptive the media in this country is influencing a generation to try drugs. Consequently, a higher percentage will try and never stop. Their lives and the lives of their families will be destroyed.

We have come to expect little more than violence, sex, and the glamorization of drugs from Hollywood but the news media should have a higher standard. I am submitting into the RECORD a statement by John Walters entitled "Tonight only; ABC Does Drugs". We would be doing the young people in this country a service a favor by requiring ABC news reporters and executives to take drugs—truth serums.

## WORST OF THE WORST—DRUG POLICY FOUNDATION— DECEPTIVE, SINISTER AND SEEDY

The time has come to expose some of these more sinister organizations and the seedy individuals involved with them for what they really are \* \* \* organizations engaged in immoral and unethical activity operating in the gray area of the law. They are sending a damaging message to the young people in this country and our tax law needs to more accurately reflect American people's tolerance level for this type of activity. The IRS has already threatened to revoke NORML's tax-exempt status for illegal activity. This is a step in the right direction.

## THE TRUTH ABOUT THE DRUG LEGALIZATION IN THE NETHERLANDS

What pro-legalization organizations refuse to disclose about the disastrous human consequences which have occurred in the country where they have already tested legalization tells you a lot about their true intentions. You will never hear the truth about the failure of drug legalization in the Netherlands from Drug Policy Foundation.

According to the President of the Dutch National Committee on Drug Prevention, K.F. Gunning, M.D. crime and drug use has skyrocketed since legalization was implemented in the Netherlands. According to the Dutch Government, the results of their decriminalization/legalization drug policy has resulted in: A 250 percent in drug use since 1993; a doubling of marijuana use by students since 1988; armed robberies up by 70 percent; shootings are up by 40 percent; and car thefts are up by 60 percent.

The number of registered addicts in the Netherlands has risen 22 percent in the past 5 years. There were 25,000 new addicts in 1993 alone. Furthermore, the number of organized crime groups has grown from 3 in 1988 to 93 in 1993. The drug legalization has had a disastrous effect in the country where it has been tested.

## CLINTON'S LEGACY, A DRAMATIC INCREASE IN DRUG USE AND DRUG VIOLENCE

Mr. Speaker, President Clinton is not going down in history for any great domestic policies or strides in economic improvement. Certainly, he isn't going to be known for any diplomatic or human rights breakthroughs. The only measurable difference the American people have witnessed during his tenure in office is

that the crime and drug situation dramatically worsened. The crime and drug statistics will speak for themselves in 1996.

Today, 1 out of every 10 babies born in the United States is addicted to drugs. How can anyone honestly believe that selling drugs is a nonviolent crime when even newborns are the victims. And under this President's watch, according to the 1994 University of Michigan study of 50,000 high school students, drug use is up for all grades. These numbers reveal that drug use is up in all these grades for crack, cocaine, heroin, stimulants, LSD, and marijuana.

And let's face the facts about violence in this country. Drug users and drug pushers are responsible, directly and indirectly, for most of the violence in this country. According to the Partnership for a Drug Free America, drug use is related to half of all violent crime. Illegal drugs play a part in half of all homicides. In fact, over half of those arrested for homicides in this country test positive at the time of arrest.

Drug use is a factor in half of all family violence and most of this violence is directed against women. And over 30 percent of all child abuse cases involve a parent using illegal drugs. The Nation's health care system is straining from the war on drugs with nearly 500,000 drug-related hospital emergencies a year. Yet, under President Clinton's term in office, these visits continue to escalate. In fact, drug-related emergency room visits are up 8 percent over last year.

#### LEGALIZATION POSES GREATER HEALTH RISK FOR BLACKS AND WOMEN

Most of the new AIDS cases in this country are women. Legalization in the Netherlands led to a dramatic increase in the number of addicts in that country. More addicts translates into more intravenous drug users and more prostitution. An increase in the number of addicts in this country will translate into an increase in drug-related AIDS deaths for women.

Drug dealers and drug users are financing the violence which permeates many of the cities, towns, and schools of this country.

#### CRIME, VIOLENCE—DRUGS—THE COMMON DENOMINATOR

Mr. Speaker, I would simply conclude by quoting the Chairman of the Partnership for a Drug Free America, Mr. James Burke, "We cannot and will not make progress with crime, violence or other ills until we make a long-term commitment to addressing a common denominator in so many of these problems—drug abuse."

#### RENEWING THE WAR ON DRUGS

(By William J. Bennett and John P. Walters)

Through its indifference to rising drug use and its erosion of the moral and governmental foundations of the successful anti-drug efforts of the past two administrations, the Clinton Administration has put the nation on a dangerous path. The President bears the principal political responsibility for this record. And only he can use his office to begin to correct it. Congressional leaders in both parties should give him every possible incentive to do just that. If the Clinton Administration does not see the light, it should feel the political heat.

As the past two years demonstrate, the nation cannot sustain an effective anti-drug ef-

fort without leadership. Congress, governors, mayors, and community leaders, need to meet this challenge. There are specific roles to fill for federal, state, and local governments, as well as the private institutions that support our families and communities.

#### RESTORING EFFECTIVE FEDERAL ACTION

The cornerstone of national anti-drug efforts is to give force to the principle that drug use is wrong, harmful and will not be tolerated. This principle should be embodied in the institutions of society, which, in turn, should be organized to give force to that principle. Without the federal government doing its part, this endeavor will be much more difficult.

First, while efforts by the federal government are not sufficient, they are a necessary element of an effective national anti-drug effort. Executive leadership begins with the President and his appointees in relevant executive agencies. The White House drug policy office was created—at the insistence of a Democratic Congress—to organize and lead the war on drugs. Right now that office is not doing its job, and the Clinton Administration has made it largely irrelevant. The President should give someone the responsibility and the authority to get the executive branch, and the federal government, back in the fight.

Second, the world headquarters for the cocaine industry is Colombia. The era of meaningful partnership with that government has ended. And there are reliable press reports that the current president of Colombia received campaign money from the cartels. But the heart of the matter today is that U.S. and Colombian enforcement agencies know who the leaders of the cartels are and where they are. The Colombians could arrest or force into hiding the management of the cocaine industry, and disrupt the cocaine trade as they have done in the past. But there is no evidence the Colombian government has any intention of doing so. Occasional showy enforcement operations continue, but no real efforts are mounted and therefore no real progress is made. The U.S. government has done virtually nothing to give the legitimate interests in Colombian society reason to undertake the risk and effort of making their government put the cocaine trade out of business. It is time to give them such a reason. During the recent embargoes on Iraq and Haiti, experts warned that these measures are most effective when applied rapidly and totally against a trading ally. The U.S. accounts for more than 70 percent of Colombia's licit foreign exports. We need to tell the Colombians, in effect: "Stop sending the cocaine, or you can keep everything else. If the cocaine keeps coming we don't want your \$[to be added] in coffee." Such action against Colombia would change the priority of anti-drug efforts throughout the international community.

Third, put the U.S. military in charge of stopping the flow of illegal drugs from abroad. Require federal law enforcement agencies responsible for drug interdiction to operate under the overall command and control of the military. This mission will require continuous adaptation because traffickers will inevitably try new avenues as the old ones become too costly. Some in the military will object to this non-traditional mission and its cost. But no law enforcement organization will ever have the intelligence and operational capabilities for the interdiction task that the military already possesses. Over the last few years the U.S. has used its military resources to protect poor and endangered citizens of other countries.

It is time—it is past time—to stop overlooking the poor and endangered in our cities.

Fourth, the drug trade inside the U.S. relies on sophisticated senior management. Despite periodic law enforcement successes, federal domestic enforcement agencies have produced no serious disruption of major trafficking operations. And for the last two years the Clinton Administration has allowed the DEA, FBI, and other drug enforcement agencies to curry political favor with local authorities by assigning federal personnel to augment manpower for cases with no federal significance. This might be acceptable if important federal responsibilities were being met. But they are not. We therefore need to establish clear federal drug enforcement priorities and hold enforcement authorities accountable for meeting them. For example, the Attorney General should be required to prepare a report every six months identifying all major drug trafficking organizations known to be operating in the U.S. and a plan to deploy federal enforcement personnel to dismantle them. Congress should also make the funding for federal drug enforcement agencies contingent on effectively implementing this policy.

Fifth, the Congress should combine existing federal aid to the states and localities for drug enforcement, prevention, and treatment (now, roughly \$3.5 billion per year) into a single block grant distributed on the basis of population. Individual program mandates should be abolished so states and localities can establish and pursue their own priorities for fighting drug use and drug crime. Law enforcement, drug treatment, and prevention education are local responsibilities. Washington's bureaucratic regulation has utterly failed to engender programs that foster local accountability. Therefore, the new block grant should be designed to restore local responsibility by phasing them out after three years. In this way, communities will have an incentive to use these funds for those activities that demonstrate sufficient merit to deserve long-term support entirely from local sources.

#### CREATING EFFECTIVE LOCAL ACTION

Sixth, drug prevention is central to all effective anti-drug efforts. Young people who do not use drugs in their teens are unlikely to ever become involved with illegal drugs. But each generation must be taught that illegal drug use is wrong and harmful. This lesson must be taught by the community as a whole; indeed, by our culture. Children learn about drugs by what the adults around them as a whole say and do. Parents teach by precept and example. The same is true of schools and the communities. If drug use and sale is not aggressively opposed and prevented, children learn it is acceptable, despite what some adults may occasionally tell them. Teaching drug prevention must be a part of teaching children right from wrong. It will always fall to parents to provide that education in the home and act to ensure that schools and their communities are teaching this lesson effectively. This task is easier if national leaders set the right example and speak in support of parents. But since that national support has seriously eroded, parents, churches, schools, youth organizations, and communities are more important than ever. They have always been, and will always remain, the first line of defense for children.

Seventh, open-air drug markets feed addiction and are a visible sign of the toleration of the drug trade in our nation. It is a national disgrace that such markets are tolerated in virtually every major American city. Drug pushers cannot operate effectively



when law enforcement personnel are present. Forcing drug deals from open spaces makes their lives more difficult and dangerous and hence their activities less frequent. Many communities have demonstrated that creating a law-enforcement presence and maintaining it in response to relocation efforts by drug dealers is doable—but only if closing drug markets is made a priority. In the next year, mayors, city councils, and police chiefs should pledge to close all open air drug markets in their communities. Citizens should demand such a pledge and make clear that they will insist that these officials keep it. We need to stop claiming that the crime and drug problem in our communities is someone else's responsibility. Decisive action can be taken by local officials and community members now.

Eighth, drug testing is a proven tool to discourage drug use by individuals in treatment and those in the criminal justice system. Good treatment programs require regular testing and apply sanctions against individuals who relapse. Drug testing arrestees provides a basis for using bail, sentencing, release conditions and other aspects of the criminal justice system to compel individuals to stop using drugs. Including an extended period of regular testing after convicted drug-using offenders complete their sentences, discourages a return to drug use and crime. Positive drug tests must involve steadily escalating penalties (starting with a one or two-day return to jail or a half-way house and moving to reincarceration for an extended period). Most heavy drug users pass through the criminal justice system and any short-term costs of creating temporary detention facilities for the enforcement of a drug testing program will save larger costs to the community in repeated criminal justice expenditures on the same individuals and the damage their crimes do to the innocent.

These eight steps—involving federal, state, local, and individual action—will reverse the dangerous resurgence of drugs that has occurred during President Clinton's watch. These actions will help turn the country away from its present course and go a long way toward making progress in the war on drugs. And that, in turn, will help America to become a safer, more decent and more civilized society.

#### TONIGHT ONLY: ABC DOES DRUGS

(By John P. Walters)

Tonight, Jeff Diamond—the NBC "Date-line" producer who took the blame for rigging those exploding pickup-truck gas tanks—is back, and he's on drugs. Specifically, he is part of the team that created the ABC News special: "America's War on Drugs: Searching for Solutions."

The show, hosted by Catherine Crier, begins with the usual "we've lost the drug war" footage and rhetoric. Of course, the show never explains that drug use declined steadily and dramatically prior to the Clinton administration, which undermined anti-drug efforts on all fronts. But this is standard fare. Tonight's program is designed to break new ground.

It begins in earnest with the story of Jim Montgomery, who, we are told, was sentenced to life in prison for having two ounces of marijuana in the backpack of his wheelchair. This is the show's illustration of drug enforcement in America. Apparently, ABC couldn't find a grandmother on death-row for carrying a roach clip in her purse. ABC does not just want to keep alive the liberal myth that prisons are filled with "low-level drug

offenders," ABC wants to take that myth to a new level. Never mind that the Bureau of Justice Statistics reports that federal inmates convicted of marijuana trafficking were involved, on average, in the sale of 3.5 tons of pot. And forget that only 21.3 percent of state prisoners are drug offenders and that more than 96 percent of state prisoners have prior convictions.

But this is all just an introduction to the "solution" ABC wants to offer for the drug problem. That solution is, of course, legalization.

First, Ms. Crier and Mr. Diamond present a loving portrait of—you guessed it—the Netherlands, especially Amsterdam. Drugs are accepted, addiction is limited, and, according to ABC, crime is not a serious problem. The only problem with this idyllic picture is that it is an utter fabrication. A 1992 study found that the Netherlands now ranks first in Europe in the category of threats and assaults; robberies increased by more than two-thirds from 1988 to 1992 (with 43 percent of burglars describing themselves as drug-users); gun-related deaths are on the rise (almost all involving drug disputes); and out of roughly 100 "highly organized" criminal gangs operating in the Netherlands, 73 are engaged in drug trafficking.

The Amsterdam Municipal Health Service reported a rise in hard-core addicts, attributed to a significant rise in the local heroin supply and a drop in price of as much as 75 percent in the last few years. ABC also missed the fact that the Rotterdam Municipal Council has reported that cocaine use has risen substantially, to 3.3 percent of the resident population over age 15. And in Amsterdam, cocaine users have been estimated at 5.8 percent of the population—vastly higher than anything in the United States.

After a fantasy trip to the Netherlands, Ms. Crier takes her audience to England for a loving look at the "successes" of legally prescribing heroin to addicts. ABC, however, does not review what happened the last time Britain experimented with legalization, back in the 1960's. As James Q. Wilson has written, that British Government experiment with controlled heroin distribution resulted in, at minimum, a 30-fold increase in the number of addicts in 10 years as heroin was diverted from patients to new users on the streets. And a British Medical Journal report on the "experiment" estimated that the number of heroin users doubled every 16 months from 1959 to 1968. Now some in the English medical community are trying to repeat this experience, and ABC seems to think Americans should join them.

If America's drug problem were not so serious, it would be possible to regard a program this bad and heavy-handed as comic. But America's drug problem is no laughing matter. Thus this show is not just inexcusably bad journalism—it is highly irresponsible broadcasting.

#### THE AMTRAK RESTRUCTURING ACT OF 1995

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. LIPINSKI. Mr. Speaker, at the request of the President Bill Clinton and Secretary of Transportation Federico Peña, Transportation and Infrastructure Committee Ranking Member Norm Mineta and I are today introducing

the Amtrak Restructuring Act of 1995 and the Interstate Commerce Commission Sunset Act of 1995.

I have not agreed to introduce these two pieces of legislation at the request of the President because I support or endorse them in their entirety. Rather, I am introducing them in an attempt to bring the administration's views to the table on these important and controversial issues.

Mr. Speaker, these are but two of the bills that will be introduced this Congress on the restructuring of Amtrak and the sunset of the Interstate Commerce Commission. I may even introduce other legislation on these issues myself. These two bills are merely the Administration's contribution to the debate.

When we return from the April District Work Period, the Subcommittee on Railroads will be marking up legislation on Amtrak and the ICC. As the Ranking Democratic Member on the Subcommittee, it is my responsibility to evaluate every alternative—Democratic, Republican, bipartisan, or Administration—and provide the opportunity for the other members of the subcommittee to do the same. That's why I've agreed to introduce these bills today.

#### INTRODUCTION OF THE DELAULO-LOWEY WATER POLLUTION CONTROL AND ESTUARY RESTORATION ACT OF 1995

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mrs. LOWEY. Mr. Speaker, today Congresswoman DELAULO and I are once again joining with a geographically diverse group of our colleagues in reintroducing legislation to renew and expand the Federal Government's role in controlling pollution and in stewarding our coastal resources.

Our legislation—the Water Pollution Control and Estuary Restoration Financing Act—was first inspired more than 4 years ago by the dedication of citizens in our communities who have spearheaded the effort to save Long Island Sound. In fact, labor, business, and environmental groups in New York and Connecticut have taken the bold step of setting aside historic differences to work together to address the need for effective water pollution control. Just last fall, their hard work took a major step forward with the signing of the Long Island Sound Clean-up Plan by the States of New York and Connecticut and EPA Administrator Carol Browner.

Despite these achievements for Long Island Sound, much remains to be done to take our Nation's estuaries off the endangered list. Nationally, we face an appalling backlog of water quality infrastructure upgrade needs that threatens to choke our economy just as it is robbing our waters of life-giving oxygen. Quite simply, we need leadership at the Federal level to match the energy and ingenuity of our communities that are working toward a better environmental and economic future. Without strong Federal leadership and substantial funds to back it up, we run the risk of squandering over 20 years of progress in cleaning up and protecting our waters.

Therefore, our legislation will re-ignite Federal, State, and local cooperation in water pollution control by significantly increasing annual authorization levels for the State Revolving Fund [SRF] Program to \$4 billion and then \$5 billion beginning in 1998. In the context of our continuing budgetary problems, these authorizations may appear high. But without a renewed Federal commitment to clean water, the estimated \$200-billion shortfall over the next decade in sewage treatment upgrades leaves our States with two unacceptable alternatives: swamp their residents with higher taxes, or allow vital waterways to die and their economies to stagnate. It is encouraging that the Subcommittee on Water Resources and Environment has recently approved an increase in the SRF to \$3 billion. This is an important step in the right direction, but I hope this Congress can do better before the bill becomes law.

In addition to expanding and modernizing the Nation's water pollution control infrastructure, we must support efforts to spend clean water dollars as intelligently as possible. To that end, our legislation departs from past practice by earmarking a portion of the SRF funds for the implementation of comprehensive estuary management plans. These comprehensive conservation and management plans are designed to utilize the most cost-effective mix of policies to reduce water pollution in sensitive coastal regions. And, rather than heavy-handed mandates from Washington, these plans are founded on voluntary partnerships among people with a shared vision for reinvigorating our economy and revitalizing our bays, rivers, and beaches. At present, communities in and around 21 of our Nation's estuaries are at work developing plans; another half dozen will be added to the National Estuary Program [NEP] later this year.

Moreover, our legislation would strengthen section 320 of the Clean Water Act, which authorizes the National Estuary Program. First established under the Water Quality Act of 1987, the NEP provides a mechanism for bringing together Federal, State, and local authorities—and interested citizens—to develop comprehensive, watershed-based plans for cleaning up and protecting nationally significant estuaries. In Long Island Sound, Puget Sound, Massachusetts Bay, and a number of other estuaries, the NEP has helped bring about unprecedented cooperation aimed at saving these threatened waters and the economies that rely on them.

Our bill would build on the success of the NEP by clarifying the funding and staffing responsibilities of Federal agencies concerned with the program, including the Environmental Protection Agency [EPA] and the National Oceanic and Atmospheric Administration [NOAA]. Specifically, the bill states that implementation of estuary management plans is a non-discretionary duty of the EPA. The measure seeks to improve Federal leadership in the NEP by directing the EPA to promulgate guidelines for development, approval, and implementation of comprehensive management plans. Other important proposed changes include measures to improve coordination of clean-up efforts with other Federal activities in estuaries. In short, this bill is designed to make certain that those plans do not end up

on shelves in bureaucrats' offices, but instead truly clean up these critical bodies of water.

In the 103d Congress, the DeLauro-Lowey Water Pollution Control and Estuary Restoration Financing Act received strong bipartisan support and backing from a unique nationwide coalition of business, labor, and environmental groups who recognize the ties that bind the condition of our waters and the state of our economy. Provisions similar to our bill were included in the clean water reauthorization bill reported last year by the Senate Environment and Public Works Committee.

As we reintroduce our legislation today, however, we do so at a time when the Clean Water Act is under attack. The act's reauthorization that is being developed in committee threatens to undermine much of the progress that has been achieved in approving our Nation's water quality. For example, by decreasing protection for our Nation's remaining wetlands and repealing provisions in the Coastal Zone Management Program that require coastal States to develop enforceable polluted runoff control programs, this legislation would turn back the clock on environmental protection and pose new threats to our Nation's vital waterways. We must not allow this to happen.

Mr. Speaker, our legislation is a call to action that says through sensible investments in water pollution control we can help ensure our economic and environmental future. Without Federal assistance, our estuaries will die while the long-term growth of our economies suffers.

In conclusion, I want to thank all 36 of my colleagues who have joined Ms. DELAUNO and myself in introducing this legislation. We all are keenly aware that by failing to help our municipalities meet their infrastructure needs, we are forcing them to tie up scarce local dollars that otherwise could be used to improve schools, fight drugs and crime, provide housing and health care, or meet the needs of the elderly and disabled. In the end, every one stands to lose. We also understand that clean water is a national priority. Just as rivers and coastal waters affect and are affected by the policies of various States, an interstate commitment is essential to success.

The time has come to act, Mr. Speaker.

SALUTE TO MR. ROBERT A.  
BRADY

HON. THOMAS M. FOGLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. FOGLETTA. Mr. Speaker, I rise today to salute Mr. Robert Brady of Philadelphia whose 50th birthday will be celebrated on April 7, 1995. Throughout his lifetime, Mr. Brady has contributed greatly to the people of the City of Philadelphia.

A graduate of Saint Thomas Moore High School and the Martin Technical School, Mr. Brady began a distinguished career in public service in 1975. Mr. Brady served as the Assistant Sergeant at Arms for the Philadelphia City Council and the Labor Liaison to the Mayor's Office from 1975 to 1986. A working man first, last and always, Bob Brady has served as Legislative Representative of the United Brotherhood of Carpenters and Joiners.

Since 1965, Mr. Brady has been a leader in the Democratic Party of Philadelphia, culminating in his election as Chairman of the Democratic County Executive Committee of Philadelphia. In addition, to his work with the Democratic Party, Mr. Brady has been appointed as a member of the Pennsylvania Turnpike Commission and the Delaware River Port Authority. In those two positions, he has made important contributions in creating jobs and protecting the rights of workers.

In his 50 years, Mr. Brady has already given more to the City of Philadelphia than many people give in a lifetime. I hope that he will continue to have a long and successful career for at least 50 more years, and I look forward to continuing to work with him. I hope all of my colleagues will join me in wishing Mr. Robert Brady a very happy 50th birthday.

VOICE OF REASON IN BOSNIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. SMITH of New Jersey. Mr. Speaker, people from the Balkans are often characterized according to their ethnic background, and the assumption is made that each person—from the villager to the leader in society—looks out for the interests of only their own people. In Bosnia, that can be a very mistaken assumption.

Three years of aggression in Bosnia have admittedly sharpened the priority given to ethnic identity by all sides, Bosnian, Muslim, Croat and Serb, which is shaped largely by religious background. However, there remains a large number of individuals more committed than ever to the concept of a multiethnic Bosnian society in a unified state, where all are equal before the law, where all tolerate each other and respect their cultural differences.

Few, if any, symbolize this true Bosnian spirit, with which Americans find so much affinity, more than the Roman Catholic Archbishop of Sarajevo, Vinko Cardinal Puljic, who recently visited Washington. During his visit, he expressed a sense of optimism about the ability of the people of Bosnia-Herzegovina to live together in peace, but evoked as well a sense of urgency about the current plight of the Roman Catholic community. He also expressed a sense of frankness about the troublemakers that continue to exist among his fellow Bosnian Croats. Finally, he expressed a sense of outrage about the abandonment of Bosnia-Herzegovina by the international community.

On the latter point, I would like to quote an appeal for a just peace which the Cardinal released on March 30, prior to departing Washington. He said:

I, like so many in Bosnia-Herzegovina, am astonished and bewildered, almost to the point of despair, at the international community's indifferent, half-hearted, inconsistent and ineffectual response to aggression and ethnic cleansing. Not only has the international community not acted decisively, it has even contributed to the ethnic division of Bosnia and has legitimized aggression by



failing to uphold basic moral and legal norms. \*\*\* In Bosnia, the international community's tepid response has only encouraged those who would respond to extremism with extremism, to intolerance with intolerance, to aggression with aggression, and to ethnic cleansing with ethnic cleansing.

I ask that the full text of the Cardinal's appeal be printed in the RECORD, and I ask my colleagues to read it. While the politician, the diplomat or the soldier can bring about an end to hostilities in Bosnia Herzegovina, it will take people like Cardinal Puljic to bring about a real peace, a lasting peace through reconciliation and outspoken opposition to the evil forces of exclusivity that permeate his society. I applaud his efforts.

#### AN APPEAL FOR A JUST PEACE IN BOSNIA-HERZEGOVINA

I come to Washington, D.C. to offer another heartfelt plea that the United States, in conjunction with the international community, will take more decisive steps to support those of us in Bosnia-Herzegovina who are struggling to bring about a just peace, based on equal respect and equal rights for all ethnic and religious identities in my country.

1. The facts of Bosnia's tragedy are well known, but they bear repeating. In three years, I have seen the Catholic population of my archdiocese reduced from 520,000 to about 125,000 people, most of whom live in small enclaves. Less than a third of the parishes are still functioning. The situation is even worse in the Banja Luka Diocese, where more than 80% of the Catholics have been forced out by "ethnic cleansing." Overall, of the 830,000 Catholics who lived in Bosnia before the war, only half remain. If the war continues, Catholics risk being exterminated from large parts of Bosnia and Herzegovina, despite thirteen centuries of our organized presence there. The Catholic community does not have a monopoly on suffering in Bosnia and Herzegovina. I cite these statistics simply to remind Americans of the magnitude of the suffering that is being inflicted upon the people of Bosnia and Herzegovina.

2. Despite obvious obstacles, there can be no alternative to pursuing a just peace in Bosnia and Herzegovina. Time is running out but it is still not too late.

A just peace requires respect for the territorial boundaries of Bosnia-Herzegovina and its multi-ethnic and multi-religious character. The international community must support us in our efforts to rebuild a country in which ethnic Bosnian Muslims, Serbs and Croats can cultivate their respective identities at the same time that they respect the equal rights and equal legitimacy of the ethnic and religious identities of other citizens. Therefore, it is imperative that the Bosnian Federation receive the support it needs to succeed, but it would be a tragedy if the Federation and international peace plans were used to partition Bosnia along ethnic lines. A peace which does not correct injustices, which rewards aggression, which does not permit refugees and displaced persons to return to their homes, and which is based on ethnic division can be neither a just nor a permanent one.

3. I, like so many in Bosnia-Herzegovina, am astonished and bewildered, almost to the point of despair, at the international community's indifferent, half-hearted, inconsistent and ineffectual response to aggression and "ethnic cleansing." Not only has the international community not acted decisively, it has even contributed to the ethnic

division of Bosnia and has legitimized aggression by failing to uphold basic moral and legal norms. If the principles of peace and international justice are buried in the soil of the Balkans, Western civilization will be threatened. In Bosnia, the international community's tepid response has only encouraged those who would respond to extremism with extremism, to intolerance with intolerance, to aggression with aggression, and to "ethnic cleansing" with "ethnic cleansing."

I am convinced that there are moral means to thwart immoral aggression. The international community must have the will to use the means available to it to protect threatened populations, to encourage demilitarization, and to establish other conditions necessary for progress towards peace. The solution can not be simply to give up and withdraw. If the United Nations and the international community do not now have effective means to respond to the humanitarian crises in Bosnia and elsewhere—and it is clear that they do not—then nations have the responsibility to take the steps necessary to develop more effective international structures.

4. This is not a religious conflict, but some would misuse religion in support of ethnic division and extreme nationalism. Therefore, as a religious leader, I believe I have a special responsibility to stand beside those who are victims of injustice and aggression, regardless of their religious, ethnic, or national identity. I also believe that, even though a just peace seems far off, religious and other leaders must not wait for an end to war to begin the daunting task of reconciling deeply divided communities. We must promote a moral and spiritual renewal that can heal the hatred, despair and division which this war has brought. Only by rebuilding the spiritual life of our people can we ensure that the horrors we have lived through for the last three years will not be repeated. With God's grace, we will succeed.

5. Amidst the great suffering we have been forced to endure, we have found the grace to persevere in hope, for we know that this war is not our destiny. We have also found hope in the prayers and moral and financial support we have received from the Catholic Bishops Conference and its aid agencies, and countless individuals and organizations in the United States. For these generous acts of solidarity, we are deeply grateful.

I conclude where I began. The ordinary people of my archdiocese and my country are tired of war; they yearn to be allowed to live together in peace. But we cannot do it alone. We need more decisive action by the international community. I implore you: Do not continue to abandon us! Do not continue to acquiesce in the practical victory of injustice and war! Help us to realize the justice, peace and reconciliation for which we so ardently pray and struggle!

There are many forces fueling this conflict, some of them coming from within my own Croatian community. This is not, however, a religious conflict, nor is it simply a consequence of the resurgence of "ancient hatreds" between different religious, ethnic, and national groups who cannot live together in peace. Ethnic, religious differences certainly do exist, and, regrettably, they have been depended by the war. But they cannot explain adequately what is happening in my country. The main cause of the conflict and suffering in Bosnia-Herzegovina is an attempt by extreme nationalists and others who fear democracy to create an ethnically pure Greater Serbia.

#### LONG-TERM CARE INSURANCE TAX TREATMENT AND CONSUMER PROTECTION ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. STARK. Mr. Speaker, today I am introducing the Long-Term Care Insurance Tax Treatment and Consumer Protection Act of 1995. This bill establishes critically needed standards for long-term care insurance policies. It makes changes that will protect elderly consumers from the misleading practices that leave them without adequate insurance coverage for nursing home and home care.

The bill establishes minimum standards that long-term care insurance policies must meet. The standards include requirements for standardized outlines of coverage and terminology that will enable consumers to make intelligent choices about which policy to purchase. The standards will prevent discrimination in regard to certain disabling conditions. They assure that benefits will be delivered in the full range of settings available for the care of the elderly.

The Ways and Means Committee recently passed H.R. 1215. That bill includes provisions that allow individuals to include long-term care insurance premiums as a part of their itemized expenses for medical care, to the extent that those expenses exceed 7.5 percent of adjusted gross income. In effect, H.R. 1215 encourages people to purchase long-term care insurance by permitting favorable tax treatment of the premiums. My bill contains the same long-term care insurance provisions as in H.R. 1215, but with an important difference: my bill contains the standards that are needed to prevent consumer abuse.

Abuses of consumers in the long-term care insurance market are severe—so severe that a past president of the National Association of Insurance Commissioners [NAIC] has said that the very viability of this product is in question. The NAIC has developed model standards that each State may adopt in order to regulate long-term care insurance. States vary widely, however, in their application of the standards. For example, Washington, DC enforces none of the recommended standards, while Connecticut has adopted 24 of the 28.

This bill would require the States to certify that long-term care insurance policies being sold in the State meet the consumer protection standards. The premiums for policies that do not meet the standards could not be used as an itemized tax deduction. This structure would provide incentives to States to enforce consumer protection standards. It would also provide incentives to consumers to purchase long-term care insurance policies, not only because they could get a tax deduction but also because they would be assured that the policies are good products.

When a consumer decides to purchase a policy, there is a dizzying array of policies and riders available. Benefits and terminology vary greatly. It is almost an impossible task for a consumer to make an effective choice of policy.

This bill would require the insurance company to provide the consumer with an outline

of coverage. The outline of coverage would be in a standard format, contain specific information and use standardized terminology. The outline of coverage would enable a consumer to compare plans and to choose the policy that best meets his or her needs.

The outline of coverage would also assure that the consumer knows in advance the criteria for receiving benefits under the policy. Policies currently are so confusing, that it is often unclear when and where benefits can be used. A senior may think that, when she becomes unable to care for herself, she can get assistance with activities of daily living in her own home, and later find out that benefits are only available in a certified nursing home or when she needs skilled nursing care. By clearly defining the threshold conditions for receiving benefits, there will be no doubt about exactly what services an individual can receive and where they can be delivered.

Currently, long-term care insurance policies often do not provide for an examination period. When a consumer is dissatisfied with a policy, there is no way to return it without forfeiting the premium already paid. This bill allows a 30-day examination period during which the policy can be returned for a full refund. If a person purchased long-term care insurance through a health plan at work, the bill would assure that the person was given the opportunity to continue coverage when he or she leaves that job.

Right now insurance companies can cancel or refuse to renew a policy because the policyholder has developed an illness that the company thinks is too big a risk. This bill would prohibit companies from canceling a long-term care insurance policy unless the policyholder failed to pay the premiums, committed fraud, or did not disclose relevant information to the company.

Another important feature that most policies now do not include is nonforfeiture benefits. Nonforfeiture benefits assure that, when a policy is dropped or canceled, the policyholder gets back at least a portion of the premiums paid. This is accomplished either through a refund of money or eligibility for services when they become needed. Up to 60 percent of policyholders drop their policies within 10 years of purchase. People who drop their coverage stand to lose significant amounts of money. They should not be penalized if they can no longer afford the policies as they get older.

Policies are usually held for 10 to 20 years before the policyholder needs to use the benefits. Long-term care insurance is basically worthless unless it includes inflation protection. Inflation protection assures that most of the cost of care will continue to be covered after 10 or 20 years. Without inflation protection or with inadequate inflation protection, a policy held for 10 to 20 years, pays only a small fraction of the cost of nursing home care.

By purchasing inflation protection, a policyholder is also protected from having to buy additional coverage at a later date. Some policies currently do allow a person to buy additional coverage. When bought later, however, additional coverage is more expensive. This is because the person pays the then-current price based on his attained age. This bill would require the insurer to offer the pur-

chaser the option to purchase inflation protection. In addition the insurer would have to provide the consumer with a comparison of the benefits over 20 years with and without inflation protection. The consumer then can make an informed decision about whether the coverage under the policy will be adequate many years in the future.

One of the ways in which insurance companies are able to avoid paying benefits to policyholders is to put restrictions on the diagnoses that will be covered. The protections in this bill would prevent discrimination against people with Alzheimer's disease and other disabling conditions. A policy could not use different criteria to receive benefits and could not pay different amounts of benefits for people with those disabling conditions.

When a consumer has a policy that provides benefits for home care, he or she expects to be able to get assistance with things like bathing and dressing. Yet some policies that cover home care will cover only the services of a registered nurse in the person's home. This practice defeats the purpose of providing coverage for home care. Many people can remain in their own homes for a much longer period of time and avoid more costly nursing home care, if they receive needed assistance with activities of daily living. That does not necessarily mean, however, that they need a nurse to provide skilled care. This bill requires that policies covering home care include those services that are most beneficial to people in their own homes. It also allows services to be delivered in all types of residential facilities, such as assisted living facilities, rather than just in skilled nursing facilities.

Last year, the Ways and Means Committee came to a bipartisan consensus on standards for long-term care insurance. Those consensus standards are embodied in this bill. In testimony on January 20, 1995, before the health subcommittee, 8 of the 14 witnesses testified as to the need for standards to protect consumers. Groups as diverse as the Health Insurance Association of America, the Partnership States of California, New York, and Connecticut, the Coalition on Long-term Care Financing and Consumers Union all firmly support appropriate consumer protection.

Long-term care insurance has been promoted in this Congress as a way to reduce the rising costs of nursing home care under Medicare and Medicaid. For the 10 percent to 15 percent of seniors who can afford to buy this insurance, it is likely to provide some modest cost savings several years in the future. More importantly, it is our responsibility to assure that the consumer abuses that have occurred in the past do not continue. I urge my colleagues to join me in support of this bill.

A summary of the bill follows:

#### IN GENERAL

The bill would provide that long-term care insurance contracts that meet the requirements of the bill received the tax treatment set forth in the bill. Similarly, the bill would provide a safe harbor with respect to the deductibility of certain expenses for long-term care services. Expenses for premiums and services that satisfy the requirements of the bill would be deductible as medical expenses.

#### QUALIFIED LONG-TERM CARE INSURANCE CONTRACTS

In order to receive the tax treatment set forth in the bill, a long-term care insurance

contract would have to meet certain requirements. A qualified long-term care insurance contract would be defined as one that meets the following requirements: the only insurance protection provided under such contract is coverage of qualified long-term care services; if Medicare is the primary payer, the contract does not cover expenses that are reimbursable under Medicare; the contract is guaranteed renewable; the contract has no cash surrender value; all refunds of premiums (other than on surrender or cancellation of the contract), any dividends, or similar amounts are applied toward future reduction in premiums or to increase future benefits; and the contract has been certified under the State regulatory program that has been approved by the Secretary of Health and Human Services.

#### QUALIFIED LONG-TERM CARE SERVICES

The bill would define qualified long-term care services as necessary diagnostic, preventive, therapeutic, curing, treating, mitigating, rehabilitative, and maintenance or personal care services that are required by a chronically ill individual, pursuant to a plan of care prescribed by a licensed health care practitioner.

A chronically ill individual would be defined as one who is unable to perform at least 2 activities of daily living for a period of at least 90 days due to a loss of functional capacity or due to cognitive impairment or having a similar level of disability (as determined by the Secretary of the Treasury in consultation with the Secretary of Health and Human Services).

The activities of daily living would be defined as eating, toileting, transferring, bathing, dressing, and continence.

#### EXCLUSION FOR BENEFITS AND FOR EMPLOYER PROVIDED COVERAGE

The bill would provide that benefits paid under a qualified long-term care insurance contract are excludable from gross income to the extent that benefits do not exceed \$200 per day (indexed for inflation after 1996).

An employer's contributions for qualified long-term care insurance would be excludable from gross income.

The bill would not permit qualified long-term care insurance to be provided through a cafeteria plan or flexible spending arrangement.

The bill would provide that distributions from individual retirement arrangements and 401K plans are excludable from gross income to the extent that they are used to pay premiums on qualified long-term care insurance contracts.

#### FEDERAL STANDARDS FOR LONG-TERM CARE INSURANCE

##### Standard formats

Each long-term care insurance policy would be required to contain an outline of coverage under the policy, using a uniform format and standard terminology, that accurately reflects the contents of the policy, reflecting specific elements. The format and standard terminology would be defined by the Secretary of Health and Human Services, in consultation with the National Association of Insurance Commissioners.

The outline of coverage would be required to include: a description of the benefits covered; the principal exclusions from and limitations on coverage; the conditions, if any, upon which the insured can obtain upgraded benefits; the threshold conditions for entitlement to receive benefits; a statement of the circumstances in which a policy may be terminated and the refund or non-forfeiture benefits, if any, applicable to each circumstance including death, nonpayment of



premiums, non-renewal by the insured, any other circumstance; a statement of the total annual premium and the portion of premium attributable to each covered benefit; any reservation of the insurer of a right to change premiums any limits on annual premium increases; any expected premium increases associated with automatic or optional benefit increases, including inflation protection; circumstances under which the payment of premium would be waived; information on average costs and variation in such costs for nursing facility care and other covered benefits; comparison of benefits over 20 years for policies with and without inflation protection; a declaration as to whether the amount of benefits will increase over time and, if so, the type and amount of any limitations on, and any premium increases for, such benefit increases.

#### *Benefit standards*

Benefits under long-term care insurance policies could not be conditioned upon any of the following: the need for another type of service, such as prior hospitalization or a higher level of care; a particular medical diagnosis; compliance by the providers with conditions not required by Federal or State law; the provision of such service by a provider or in a setting providing a higher level of care than required by an insured individual.

A long-term care insurance policy that provides benefits for home care or community-based services: may not limit benefits to services provided by registered nurses or licensed practical nurses; may not limit benefits to services furnished by persons or entities participating in programs under title XVIII and XIX of the Social Security Act; must provide, at minimum, benefits for personal assistance with activities of daily living, home health care, adult day care and respite care.

A long-term care insurance policy that provides benefits for nursing facility services must provide benefits for services in all types of nursing facilities licensed by the State and may provide benefits for care in other residential facilities.

A long-term care insurance policy may not discriminate in the treatment of Alzheimer's disease or any other dementia of organic origin, any organic or inorganic mental illness, mental retardation or any other cognitive or mental impairment, or HIV infection or AIDS from the treatment of any other medical condition, for purposes of determining whether the threshold conditions for the receipt of benefits have been met, or the amount of benefits under the policy.

#### *Inflation protection*

A long-term care insurance policy would be required to offer the consumer the option to purchase inflation protection. The inflation benefits shall not be less than 5 percent per year of the full value of benefits for the previous year or such other rate of increase as the Secretary may determine adequate to offset increases in the costs of long-term care services covered under the policy.

#### *Nonforfeiture benefits*

A long-term care insurance policy would have to include a non-forfeiture benefit after being in effect for a specified period.

#### *Right to cancel*

A long-term care policy would have to provide that the insured has 40 days to cancel and obtain a full refund of any premium paid.

#### *Guaranteed renewal*

In order to be certified, a long-term care policy could not be canceled or refused to be

renewed (or replaced with a substantial equivalent) except for non-payment of premium or for fraud or non-disclosure on the part of the insured.

#### *Continuation and conversion rights of group policies*

A group long-term care insurance policy would be required to provide the opportunity to continue coverage when the policy would otherwise terminate.

#### *Approval of State Long-Term Care Insurance Certification Programs*

The Secretary of Health and Human Services would be required to review and approve State long-term care insurance certification programs meeting the following requirements: The State certification program would be required to assure compliance with the standards for long term-care insurance policies as specified in this bill. State programs would be required to provide administrative procedures under which an insured individual may seek reconsideration of any denial or partial payment of a claim.

### THE NEED FOR MORE THOROUGH BACKGROUND CHECKS

#### HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. OWENS. Mr. Speaker, recent background checks of public officials and candidates for public office have appropriately caused concern. The legal practices of a professional physician have been thoroughly scrutinized. A sitting Cabinet secretary has been cited for not telling absolutely everything about a personal sin. It may be that the background checks by the FBI have been assigned too great a role in deciding who is fit to serve in public office. Or it may be that the well developed skills of the brigade handling these background checks could perform a higher service for this increasingly mean-spirited and merciless nation. Why not go deeper with background checks and tell us about the ancestors of our public spokespersons? The world can clearly see that some of us are the descendants of the victims of the criminal slave industry. We do not know which officials are the descendants of the oppressors who were the beneficiaries of the heinous slave industry. Such identities were not important in the past; however, now a new level of evil has been unleashed and all kinds of knowledge is needed to compare this attempt to wipe out all progress achieved by the descendants of slaves. As the scorched earth fiscal policies of the Republican majority escalate in unison with a blitzkrieg attack on affirmative action, it would be illuminating to review a more detailed background of the leaders in this public policy assault. To increase their profits, over a 200 year period, whose ancestors promoted slave breeding with teenage pregnancies? Whose ancestors for two hundred years worked mightily to obliterate all sense of family and humanity from slaves in order to make them more efficient beasts of burden? Backgrounds should be checked and it should be a crime to tell a lie to the FBI.

IT'S A CRIME TO TELL A LIE

It's a crime

To tell a lie  
To the background brigade  
Of the FBI  
Did your great  
Great grandfather  
Rape his slaves  
Or torture the males  
Are you the descendant  
Of greedy knaves  
Enriched by human sales  
It's a crime  
To tell a lie  
To honest interrogators  
From the FBI  
To meet their labor need  
Did your ancestors  
Make teenage girls breed  
Were young females  
Forced to go  
Or could they choose  
Their own Romeo  
Slavery was legal  
In white men's eyes  
But judged a moral crime  
By the ruler of all skies  
Don't tell a lie  
To the background brigade  
Of the FBI  
List deeds done  
To cleanse the shame  
Attach records  
Which clear  
Your family's name  
Remember  
It's a crime  
To tell a lie  
To the background brigade  
Of the FBI.

### COMMENDING SABRINA NEKAY LEWELLEN

#### HON. BLANCHE LAMBERT LINCOLN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mrs. LINCOLN. Mr. Speaker, I would like to recognize the accomplishments of an extraordinary young woman from my district. Ms. Sabrina Nekay Lewellen of Jonesboro, AR, was named the State winner in the annual Veterans of Foreign Wars and Ladies Auxiliary's "Voice of Democracy" broadcast audio-essay contest. Ms. Lewellen wrote and delivered an inspiring and challenging speech on her vision for America. After reading her speech, I have a renewed confidence in the future of our great country. I would like to include a copy of her speech to be printed in the record and I would encourage my colleagues to read it and to accept Ms. Lewellen's challenge. Thank you.

MY VISION FOR AMERICA

(Sabrina Lewellen)

All across America members of the class of 1995 are contemplating which college to attend, what major to choose, what career to pursue, and even who to take to the senior prom. We are fortunate in that we can make these decisions as individuals. We are not plagued with the same uncertainties as some previous classes. The class of 1945 was filled with loyal Americans who put their dreams on hold to serve the cause of world peace. Similarly, the brave souls of the class of 1965 put their personal visions aside so that thousands of people in Vietnam could experience democracy.

No, my class does not face these immediate tasks, but we do have an obligation to each other, this country, and the thousands of Americans before us who gave their loyal services and even their lives.

Throughout our history countless people have worked toward an "ideal" America. One of freedom of expression, economic possibility, toleration of uniqueness, and peaceful resolutions. They contributed wholeheartedly for everyone's prosperity until the end. As well known playwright Thornton Wilder stated in his play *Our Town*, "Gradually, gradually, they let go hold of the earth—and the ambitions they had—and the pleasures they had—and the things they suffered—and the people they loved." They never stopped trying to turn the mediocre into the superior. They fought to make the country the best that it could be and we as the inheritors of the fruit of their imagination must make the best even better.

We have to realize that in order for a working unit to function properly each element must make its contribution. My vision for America is not one of apathy and selfishness, but of caring and involvement. Not one of violence and confusion, but one of peace and understanding. Sure, it's easy for me to sit and visualize a better society, but if I do not dedicate myself to this endeavor, how can I expect others to do the same? Therefore, my vision for America begins with me.

I plan to attend college and pursue a career in human environmental science. With this knowledge, I will strive to make not only a stronger America, but a healthier one. Additionally, I will utilize my gift as a public speaker to inform others, not only on my specific area of expertise, but on a variety of issues to help improve their every day lives.

This is what I plan to do. Now, what about you? Do you have a vision? How committed are you to making a change in this country?

We live in one of the greatest nations on earth. Our democracy grants us many freedoms and choices other nations only dream of having. We, first as individuals, then as a people must realize that we have to start today in order to make a better tomorrow. We can no longer stare at our Constitution in a glass chamber and view it only as a piece of paper. We must rekindle its flame, make it eternal, and transform it into a "living" document.

All it takes is one person, in one city, in one country, in one state, in these great United States. All it takes is one.

# THE 50TH ANNIVERSARY OF FRANKLIN DELANO ROOSEVELT'S DEATH

## HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. GONZALEZ. Mr. Speaker, I rise today to inform my colleagues that I have formally asked the President to honor the 50th anniversary of the death of President Franklin Delano Roosevelt by reissuing and updating the proclamation signed by President Harry Truman in 1945 declaring April 12th as a national day of mourning and prayer.

It is fitting, but a bit ironic and actually quite sad, for this landmark anniversary to occur this year at a time when at once the strength of Franklin Roosevelt is admired and longed for and yet the programs of this great Presi-

dent are under attack. I never thought I would live to see the day when Social Security, for instance, was placed on the chopping block as the new majority in Congress has so willingly done in refusing to exempt it from the balanced budget amendment. I certainly never thought I would see the day when the House would vote on the Constitution—the 4th amendment in this case—and reject it. What a sad legacy we have become to the great leaders who have preceded us such as Roosevelt—a man whose beliefs and programs embodied the preamble to the Constitution:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

I am saddened by the reality that a great deal of the greatest constitution on Earth would undoubtedly be rejected by today's Congress if put to a vote, certainly the protections for minority viewpoints, for freedom of speech, and for the separation of church and State would be thrown out in an instant.

It is a perfect time to recall the strength, vision, and perseverance of President Roosevelt and to remember that the Government should be used as a tool for the betterment of all and not as a wedge to divide us for the benefit of a few. When the most dire economic times this country has faced confronted Roosevelt, he did not blame illegal immigrants, he did not blame the poor, and he did not blame the Government—instead, he used the resources of the Government to pull us out of the Great Depression. When confronted with evil from abroad, he used the resources of the Government not only to protect our country but to protect liberty worldwide.

Never before today has there been such anger toward and distrust of Government—not even during the Vietnam war or during Watergate. Those whose tactic has been to create distrust through lies and innuendo have trampled on the legacy of one who believed in Government, who believed in truth and justice, and who believed in the inherent wisdom and goodness of the American people. As sad as it is to remember the premature death of such a great man as Roosevelt, the timing is perhaps perfect to force us to look ourselves in the eye, to force ourselves to face our history, our present, and our future, and to force ourselves to remember the tradition of compassion, justice, and honesty that gave us definition for many years.

In this respect, then, I have asked the President bring the national focus to President Roosevelt on April 12th by declaring a national day of mourning and prayer. The following is President Truman's original proclamation from 1945 on the death of President Roosevelt:

### A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

To the People of the United States: It has pleased God in His infinite wisdom to take from us the immortal spirit of Franklin Delano Roosevelt, the Thirty-second President of the United States.

The leader of his people in a great war, he lived to see the assurance of the victory but not to share it. He lived to see the first foundation of the free and peaceful world to which his life was dedicated, but not to enter on that world himself.

His fellow countrymen will sorely miss his fortitude and faith and courage in the time to come.

The people of the earth who love the ways of freedom and of hope will mourn for him.

But though his voice is silent, his courage is not spent, his faith is not extinguished. The courage of great men outlives them to become the courage of their people and the peoples of the world. It lives beyond them and upholds their purposes and brings their hopes to pass.

Now, therefore, I, Harry S. Truman, President of the United States of America, do appoint Saturday next, April 14th, the day of the funeral services for the dead President, as a day of mourning and prayer throughout the United States. I earnestly recommend the people to assemble on that day in their respective places of divine worship, there to bow down in submission to the will of Almighty God and to pay out of full hearts their homage of love and reverence to the memory the great and good man whose death they mourn.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, the 13th day of April, in the year of our Lord, one thousand nine hundred and forty-five, and of the independence of the United States, the one hundred and sixty-ninth.

By the President:

HARRY S. TRUMAN,  
EDW. R. STETTINIUS, JR.,  
Secretary of State.

The White House, Washington, April 13, 1945.

## REMEMBERING HENRY ATHALONE

### HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. RUSH. It is with great sadness that I rise today to honor the late Henry Athalone, who passed from this life on March 4, 1995.

Henry Athalone was born on July 20, 1918, in the town of Steiner, MS. After moving to Chicago in 1952, he worked at the Lindberg Engineering Co. until his retirement.

Active in his community, Mr. Athalone was a member of the Holy Garden of Prayer Church under the leadership of Elder Jeffro Williams.

Henry was a devoted family man. He was married for nearly 56 years to his wife, the former Elnora Overton. To this union were born six loving daughters, Edna, Rosie, Louvenia, Daisy, Martha, and Denise; and one son, Samuel.

Mr. Speaker, Henry Athalone was a very dear friend to his family and neighbors, and was a loving father figure to those around him. He touched those who knew him with his intelligence, humor and sensitivity. He will be truly missed.

I am honored to enter these words of tribute to Mr. Henry Athalone into the RECORD.



TRIBUTE TO CHARLES R.  
SIMPSON, JR.

HON. JOHN JOSEPH MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MOAKLEY. Mr. Speaker, I would like to take this opportunity to honor Charles R. Simpson, Jr., former Chairman of the South Shore Chamber of Commerce in Massachusetts. Mr. Simpson began working as a teller in the Quincy Savings Bank in Quincy, Massachusetts in 1963. Through a combination of old fashioned hard work and state-of-the-art innovative solutions, he earned steady promotions, eventually becoming President and CEO of the bank.

Throughout his professional career, Mr. Simpson has shown outstanding community leadership as director of the Quincy Community Action Organization, Inc., the Beechwood Community Life Center, and the Quincy Neighborhood Housing Services. On top of this, he was a member of the Salvation Army Advisory Board and the Project Head Start Advisory Board.

Charles Simpson's leadership abilities are best exemplified by his strong record as the Chairman of the South Shore Chamber of Commerce, the organization that will be honoring him on April 21, 1995. I, too, would like to honor him for his years of service to his community, and wish him the best of luck for the future.

A TRIBUTE TO REBECCA LOBO

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. OLVER. Mr. Speaker, I rise today to pay tribute to Rebecca Lobo of the town of Southwick, MA. A senior student athlete at the university of Connecticut, Ms. Lobo has distinguished herself as an excellent scholar and superb basketball player. The entire First Congressional District is proud of her considerable achievements.

In addition to being a key contributor on this year's NCAA Women's Basketball National Championship team, Ms. Lobo has received numerous prestigious awards. She is College Sports Magazine's National Player of the Year, Women's Basketball News Service's National Player of the Year, a unanimous first team All-American, and the Big East Conference Player of the Year (for the second consecutive year). Equally impressive athletic honors are certain to follow.

A political science major, Ms. Lobo is just as intimidating in the classroom as on the hard court. Indeed, she earned a 4.0 grade point average during the last three semesters at the University of Connecticut. This dedication to her studies has brought her the distinction of being a Rhodes Scholar finalist, and the only Big East basketball player ever to be named both the Big East Player of the Year and the Big East Scholar-Athlete of the Year. Even more impressive is the fact that Ms. Lobo has accomplished this latter feat two times!

Rebecca Lobo's unparalleled excellence in sports and in school makes her a fine role model for young people all across the country. The people of Southwick, MA, took the lead in recognizing Ms. Lobo's example when the board of selectmen voted to rename the road to Southwick-Tolland Regional High School the "Rebecca Lobo Way." The board's chairman, Paul Salzer, explained that the town chose "Rebecca Lobo Way" as opposed to "Rebecca Lobo Street" because, "It is indicative of a 'WAY' to get ahead in education, in athletics."

In fact, during their successful quest for a championship, Rebecca Lobo, and her teammates on the Huskies, have already served as inspiration for hundreds of girls across the country, as well as igniting interest in women's basketball for thousands of men and women. No collegiate basketball team, male or female, has ever won more games than this team, and they did it through teamwork, while upholding the best traditions of this country's true scholar-athletes.

I ask my colleagues to join me in congratulating Rebecca Lobo on her successful college career. Her academic and athletic achievements do, indeed, lead the way and are an inspiration to us all.

CAMPUS GREEN VOTE

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. VENTO. Mr. Speaker, I want to applaud the spirit and vitality of the Campus Green Vote contingent that visited our Nation's Capitol from April 1-3, 1995. Students from 42 States gathered in Washington for an Earth Day Campus Summit and "Eco-Show-and-Tell." Their purpose was to send a clear message to the 104th Congress: "Stop attacking the environment and start working with us to craft a blueprint for better Government environmental policies!"

Campus Green Vote is a national non-profit, non-partisan organization dedicated to registering students to vote and training students in electoral and legislative skills that empower them to be catalysts for green campuses and Government policies.

Students are rightfully concerned about the future of their natural legacy. They noted that while citizens all across America prepare to celebrate the 25th Anniversary of Earth Day, policymakers in Washington, DC deem intent on tarnishing that silver anniversary celebration with a corrosive and concerted assault on decades of environmental law and policy.

Students demonstrated their concern through an "Eco-Show-and-Tell"—powerful displays of the environmental threats facing their communities. It was certainly inspiring to talk with these students about their hopes and fears surrounding the health of planet Earth.

The students were very knowledgeable about the problems in their communities—I tested them and didn't find them lacking in knowledge or understanding! However, they were very frustrated and concerned. They pleaded with me to work hard to stop the con-

gressional nonsense and politely reminded me of the commitment to the future that we should all share—to hand down to the next generation a healthy planet. They reassured me that the destruction of sound environmental policies is not endorsed by Republicans, Democrats or Independents; not by the American people.

Mr. Speaker, our constituents are speaking to us loudly and clearly. Let's do them the courtesy of listening. I applaud the efforts of Campus Green Vote and thank them for sharing their concerns with us.

IN HONOR OF ALLEN UNIVERSITY'S 125TH ANNIVERSARY

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Allen University in Columbia, SC, as they celebrate their 125th anniversary.

Allen University has produced local and national leaders who have served their communities and the Nation in an exemplary manner, and it is fitting and proper that the accomplishments of the university be recognized.

The late Bishop John Mifflin Brown and the people of the Columbia Conference of the African Methodist Episcopal Church had the vision to establish a school for the education of newly freed slaves in 1870 in Cokesbury, SC. The school was named for Bishop Brown's predecessor, Bishop Daniel Alexander Payne. Professor J.W. Morris was the school's first president.

In 1880, the school was transferred to Columbia, SC, and was renamed for Bishop Richard Allen, the founder of the African Methodist Episcopal Church.

During its early years, Allen University satisfied the needs of the African-American community by providing courses leading not only to degrees in law, theology and the arts, but also courses of study at the elementary and high school levels.

The school has since produced numerous scholars, attorneys, physicians, teachers, business and governmental leaders, and other professionals who have risen to positions of honor in the African-American community.

Today, the university, under the leadership of Bishop John Hurst Adams and President David T. Shannon, is equipping itself to serve nontraditional students and others who would otherwise not have the opportunity for a college education, as well as remaining faithful to its traditional goals of clergy and leadership education.

Mr. Speaker, I commend Allen University for its 125 years of progress, commitment and dedication in the shaping of productive lives as it strives to live up to its motto—"Heads to Think, Hands to Work, and Hearts to Love."

## TRIBUTE TO MAYOR ROSEMARY KAPTUR

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Ms. Rosemary Kaptur, an outstanding leader and resident of the Third Congressional District. After 17 years of dedicated public service, Rosemary Kaptur is resigning as mayor of Palos Park, Illinois.

Ms. Kaptur began her political career in 1975 when she became the first woman to be elected Commissioner to the Village Council. Prior to entering the political arena, Ms. Kaptur, who earned a degree in journalism and public relations, worked as an advertising manager. She was also very involved with community organizations and served as the public relations liaison for the Palos Park Library Board. In 1978, Ms. Kaptur was appointed as the first woman mayor of Palos Park. Since then, she has been elected by her constituents for three consecutive terms as Mayor of the Village.

During her tenure as mayor, Ms. Kaptur has accomplished a tremendous amount on behalf of the residents of Palos Park. A strong advocate for the arts, Ms. Kaptur instituted the Fine Arts Committee, allowed the continued use of the Village Hall by the Palos Village Players, and hosted the Concert in the Park and the Taste of Palos. Her beautification efforts and the development of a Tree Body Committee have earned Palos Park Tree City USA Awards for 1994 and 1995. In addition, the Vil-

lage parking lot was recently paved and the Heritage Court, a historic brick patio, was constructed. Mayor Kaptur also utilized her political and public relations skills to secure various State and Federal grants for Palos Park. For example, Palos Park received a \$2.5 million Build Illinois grant to defray the cost of installation of a new sanitary sewer, a \$1.5 million Metropolitan Water Resources Development grant for sanitary sewer lift station and force main, and a \$450,000 Department of Conservation grant to rehabilitate the Village Hall. Mayor Kaptur has introduced 911 emergency services, a cable television franchise, and a cost-saving trash removal franchise to Palos Park while expanding the boundaries of the village through annexation of several properties.

After 17 years of public service, Mayor Kaptur has decided to retire in order to spend more time with her husband Joseph, her three grown sons, and her seven beautiful grandchildren. Mayor Kaptur has been a loving and strong influence on the Village for many years. I ask my colleagues to join the residents of Palos Park and myself in expressing our gratitude to Mayor Kaptur for her years of devotion to public service. I wish Mayor Kaptur good health in her retirement and, again, I thank her for her devotion to the residents of Palos Park.

TRIBUTE TO TUFTS UNIVERSITY—  
TUFTONIA'S DAY 1995

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MARKEY. Mr. Speaker, I rise today to recognize Tufts University in Medford, MA, and to commemorate the 11th annual observance of Tuftonia's Week. This holiday derives its name from the title of the venerable Tufts football fight song written by E.W. Hayes, class of 1916. This is a special time for the 85,000-plus alumni of Tufts University to turn their thoughts to Tufts and to reminisce with old friends.

In 1852, Charles Tuft founded this eminent university, and the brightest and best students have been graduating ever since. I am fortunate and proud to have such an outstanding university in my district. I am also proud that two of my esteemed colleagues are graduates of Tufts: Congressmen PETE DEFAZIO of Oregon, class of 1969, and BILL RICHARDSON of New Mexico, class of 1970.

This year's annual celebration, named TuftServe, is especially important, for its focus is on community service. This is an important time for fellow Tuftonian's to focus on volunteer alumni involvement in community activities. Their contributions to the community—locally, nationally, and globally—should serve as an inspiration to us all. I congratulate the alumni of Tufts University for their hard work, their dedication, and their loyalty. Your efforts have not gone unnoticed, nor unappreciated.